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Agenda item 113 (e)
Elections to fill vacancies in subsidiary organs and other elections: election of eighteen members of the Human Rights Council

Note verbale dated 5 October 2015 from the Permanent Mission of Ecuador to the United Nations addressed to the President of the General Assembly

The Permanent Mission of Ecuador to the United Nations presents its compliments to the Office of the President of the General Assembly and has the honour to refer to the candidature submitted to the Human Rights Council in March 2012 by the Government of Ecuador for the period 2016-2018.

In May 2012, Ecuador submitted its universal periodic review, an exercise that involved the participation of several sectors of Ecuadorian society, the Ministry of Justice, Human Rights and Worship and the Office of the United Nations High Commissioner for Human Rights. Ecuador accepted 96 per cent of the recommendations in the universal periodic review, demonstrating an absolute, sincere and transparent commitment to broaden and deepen its agenda of work in the area of human rights, as one of its main national priorities.

Ecuador has actively participated in forums to promote and respect human rights, promoting the adoption of important human rights tools on the international agenda.

The Government of the Republic of Ecuador, in line with its national and international policy of defending human rights, seeks election to the Human Rights Council for the period 2016-2018 in the elections to be held on 28 October of this year. To that end, pursuant to General Assembly resolution 60/251, it presents its voluntary pledges and commitments for the promotion and protection of human rights (see annex).

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Annex to the note verbale dated 5 October 2015 from the Permanent Mission of Ecuador to the United Nations addressed to the President of the General Assembly

Candidature of Ecuador to the Human Rights Council, 2016-2018: voluntary pledges and commitments

The Republic of Ecuador has submitted its candidature to the Human Rights Council for the period 2016-2018, in the elections to be held during the seventieth session of the United Nations General Assembly in 2015.

I. Ecuador and the promotion and protection of human rights

1. In 2006, Ecuador was elected to serve as one of the 47 founding members of the Human Rights Council, and it was again a member in the period 2010-2012. During those periods, Ecuador supported several draft resolutions concerning the adoption of important human rights tools that were pending on the international agenda, such as the Convention on the Rights of Persons with Disabilities and the International Convention for the Protection of All Persons from Enforced Disappearance. It also supported the United Nations Declaration on the Rights of Indigenous Peoples and several draft resolutions and decisions related to, inter alia, the right to development, access to water, extreme poverty and migration.

2. Ecuador believes that the Human Rights Council has a significant role to play as an independent and non-selective intergovernmental human rights body and attaches importance to its work related to human rights issues in countries, and will continue to cooperate with all of the Council's universal procedures.

3. Ecuador has contributed to the promotion and protection of human rights through its ongoing support for and active participation in Human Rights Council working groups and special procedures, and in the review of the corresponding mechanisms and issues.

4. Ecuador recognizes the universal periodic review as the only universal mechanism for compliance and assessment of the status of human rights in States.

5. Ecuador is a party to the 10 main human rights treaties adopted by the United Nations and submits periodic reports to the corresponding committees.

6. Ecuador supports the Office of the United Nations High Commissioner for Human Rights, and the regional or national offices, in the investigation, dissemination and response to complaints made to the corresponding mechanisms and special procedures of alleged human rights violations that occur in the country concerned.

7. In accordance with the Constitution and national policy, the Government of Ecuador maintains an open invitation and ongoing collaboration with the United Nations human rights mechanisms and special procedures, to enable the in situ investigation of human rights issues in Ecuador.

8. Ecuador believes that promoting international cooperation among countries, both multi- and bilaterally, is an effective strategy to heighten the willingness of States to make progress in the full enjoyment and protection of human rights.

II. Internal progress in the field of human rights

9. The Government of Ecuador has encouraged legislative amendments that enable domestic law to be brought into line with all the international human rights treaties to which it is a party.

10. The Government of Ecuador, complying with its duty to guarantee human rights, is in the process of adopting several bills, such as the Act on the System to Promote and Protect Human Rights; the Organization Act on Preferential Border Treatment; the Organization Act on Priority Protection of the Rights of Older Persons; the Act to Amend the Organization Act on Disabilities; the Act to Promote Youth Employment; the Act to Amend the Code for Children and Adolescents; the Organization Act on the Office of the Ombudsperson; the Organization Act on Human Mobility; and the Organization Act on the Prevention, Control and Punishment of Harassment, Intimidation or Violence in Ecuadorian Schools.

11. In the area of international humanitarian law, the National Commission for the Implementation of International Humanitarian Law monitors and contributes to the effective implementation of the obligations of the State.

12. The Government of Ecuador has implemented a new police doctrine, based on the principles of order, security and the protection of rights, with an institutional approach that is humanistic and oriented towards service to the community.

13. The Government of Ecuador has implemented national human rights plans and agendas, including the following:

(a) National Plan to Combat Human Trafficking, Smuggling of Migrants, Sexual and Labour Exploitation and Other Forms of Exploitation, Child Pornography and the Corruption of Minors;

(b) National Plan for the Eradication of Gender-Based Violence, which is based on a comprehensive legislative framework that guarantees women and girls the right to live a life free of violence;

(c) Plurinational Plan to Eliminate Racial Discrimination and Ethnic and Cultural Exclusion;

(d) Five national equality agendas that address gender, interculturality, human mobility, disability and intergenerational issues (2013-2017).

14. The Government of Ecuador is working to establish five National Equality Councils in the areas of (1) peoples and ethnicities; (2) gender; (3) intergenerational issues; (4) disabilities; and (5) human mobility, in accordance with the provisions of the Organization Act on National Equality Councils. Representatives of State sectors and civil society serve on these Councils, on an equal footing, and their goal is to ensure the full enjoyment and exercise of the rights enshrined in the Constitution and international human rights instruments and to participate in the formulation, observance, monitoring and assessment of inclusive public policies.

15. The Government of Ecuador has made significant progress in providing access to information on international human rights obligations through the Human Rights Information System (Sistema de Información sobre Derechos Humanos, SIDERECHOS), which is an on-line web tool that aggregates information on constitutional and international human rights standards, and has a drafting and

publishing module for the reports submitted by the State to the Human Rights Council and the various committees.

III. Voluntary commitments of Ecuador for its mandate

16. To strengthen the Human Rights Council as an independent and non-selective human rights body, responsible for assessing human rights compliance, objectively and transparently.

17. To acknowledge the universal periodic review as the sole mechanism for compliance and for the assessment of the status of human rights throughout the world.

18. To reaffirm the commitment of Ecuador to the Office of the United Nations High Commissioner for Human Rights and the regional offices in investigations, dissemination, the exchange of best practices, and responses to complaints made to the corresponding mechanisms and special procedures of alleged human rights violations.

19. To encourage States that have not yet done so to ratify international human rights instruments or to consider doing so, in order to meet one of the main goals in the field of human rights: their universalization.

20. Where applicable, to propose or support the adoption of new international instruments to protect human rights and to promote consultations with affected persons as a way to encourage States' participation in such processes.

21. To continue to offer an alternative approach to the current development model, in the framework of the Millennium Development Goals and the Sustainable Development Goals, by promoting inclusive socioeconomic growth in harmony with nature, with a rights-based approach and with concrete and measurable steps that include the identification and joint provision of the corresponding means of implementation.

22. To consolidate the work of the National Commission for the Implementation of International Humanitarian Law of Ecuador through the adoption of the 2016 Plan of Action, which highlights the steps taken at the national level by the Government to promote international humanitarian law and to train public servants in this field.

23. To consolidate the reform of the social rehabilitation system and to implement the prison management model comprehensively.

24. To continue with the inclusive policy of democratization of access to primary, secondary and higher education for prisoners in order for them to continue their studies while serving their sentences, so as to ensure true rehabilitation and social reintegration.

25. To strengthen human rights knowledge management in the curricula of the public sector institutions that have training schools, such as the prison training school, the judiciary school, the police school and military and armed forces schools.

26. To strengthen human rights training and continuous education for public servants.

27. To institutionalize training modules in specific human rights themes, designed to meet the international obligations of the Government of Ecuador.

28. To consolidate the establishment and institutionalization of the five National Equality Councils.

29. Within the framework of the International Decade for People of African Descent, to continue the implementation by the Government of Ecuador of the National Agenda for the Equality of Ethnicities and Peoples, with an emphasis on the following elements: (i) lands and territories; (ii) collective rights; (iii) administration and access to justice; (iv) rights to live well (*Buen Vivir*); (v) economic rights; (vi) communication, information and participation; (vii) plurinationality and interculturality.

30. To reduce and prevent hazardous child labour, through an interlinked set of policies, programmes and activities aimed towards addressing causes and effects, from a perspective of shared social responsibility and restitution of rights to boys, girls and youth.

31. To support active citizenship of the older population and positive ageing, and the promotion of the rights of older persons.

32. To continue with the progressive implementation of the National Plan for the Eradication of Gender-Based Violence to guarantee the right of women, girls and adolescents to live a life free of all forms of violence.

33. To promote the establishment of a network of national mechanisms for gender equality, in cooperation with other countries, that will encourage the exchange of regional experiences and best practices.

34. To strengthen the Judiciary School with basic, continuing and specialized training programmes, aimed at members of the judiciary, to provide them with technical tools and specific knowledge geared towards protecting the right to effective and impartial justice and judicial guarantees.

35. To continue with high-level dialogue to establish a comprehensive public policy for lesbian, gay, bisexual, transgender and intersex groups, addressing the fight against discrimination, access to justice, inclusive workplaces, access to health and access to education.

36. To continue with the inclusive policy and programmes implemented by the Government related to the rights of persons with disabilities.

37. To provide technical assistance to countries in the region, in the framework of South-South cooperation, in the field of inclusive disability management, replicating successful models developed by Ecuador in this field.

38. To train civilian and military members of the armed forces in the "Mariscal Antonio José de Sucre" specialized course in international humanitarian law.

39. To promote the participation of citizens through dialogue, as the best way to solve conflicts and achieve social peace.

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Report of the Economic and Social Council

Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Information and communications technologies for development

Macroeconomic policy questions

Follow-up to and implementation of the outcomes of the International Conferences on Financing for Development

Sustainable development

Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and strengthening of the United Nations Human Settlements Programme (UN-Habitat)

Globalization and interdependence

Groups of countries in special situations

Eradication of poverty and other development issues

Operational activities for development

Agriculture development, food security and nutrition

Social development

Advancement of women

The situation in the Middle East

Question of Palestine

Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Question of the Falkland Islands (Malvinas)

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New Partnership for Africa's Development: progress in implementation and international support

Rights of indigenous peoples

Elimination of racism, racial discrimination, xenophobia and related intolerance

Right of peoples to self-determination

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

Oceans and the law of the sea

United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

Measures to eliminate international terrorism

Follow-up to the outcome of the Millennium Summit

Strengthening of the United Nations system

United Nations reform: measures and proposals

Financial reports and audited financial statements, and reports of the Board of Auditors

Review of the efficiency of the administrative and financial functioning of the United Nations

Programme budget for the biennium 2014-2015

Proposed programme budget for the biennium 2016-2017

Programme planning

Improving the financial situation of the United Nations

Scale of assessments for the apportionment of the expenses of the United Nations

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Letter dated 6 October 2015 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the Ministerial Declaration adopted at the thirty-ninth annual meeting of Ministers for Foreign Affairs of the States members of the Group of 77, held at United Nations Headquarters in New York on 24 September 2015 (see annex).

On behalf of the Group of 77 and China, I would appreciate if the present letter and its annex could be circulated as a document of the General Assembly,

under agenda items 9, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 37, 38, 42, 46, 66, 69, 70, 71, 73, 79, 82, 108, 116, 122, 123, 131, 132, 133, 134, 135, 136, 138 and 148.

(*Signed*) Kingsley J. N. **Mamabolo**
Ambassador and Permanent Representative
of South Africa to the United Nations
Chair of the Group of 77

Annex to the letter dated 6 October 2015 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General

Ministerial Declaration adopted at the thirty-ninth annual meeting of Ministers for Foreign Affairs of the States members of the Group of 77

New York, 24 September 2015

The Ministers for Foreign Affairs of the States members of the Group of 77 and China met at United Nations Headquarters in New York on 24 September 2015 on the occasion of their thirty-ninth annual meeting. The Ministers reviewed the world economic situation, the recent developments in the world and the particular challenges faced by developing countries. They adopted the following Declaration:

1. The Ministers congratulated the United Nations on its seventieth anniversary and acknowledged the cardinal role of the Group of 77 and China in shaping global social and economic development in order to narrow the gap between developing and developed countries. The Ministers acknowledged this pivotal role of the Group of 77 and China in a context that requires a renewed focus on global economic governance reform for the concrete implementation of sustainable development.

2. The Ministers welcomed the outcome document entitled "Transforming our world: the 2030 Agenda for Sustainable Development", to be adopted by leaders at the United Nations summit for the adoption of the post-2015 development agenda, to be held from 25 to 27 September 2015. The Ministers noted that at the heart of the outcome document is a set of 17 Sustainable Development Goals and 169 associated targets that build on the foundation of the Millennium Development Goals and the outcome of the United Nations Conference on Sustainable Development, entitled "The future we want", and has as its core objective the eradication of poverty everywhere in all its forms and dimensions, which is an indispensable requirement for sustainable development.

3. The Ministers noted that the 2030 Agenda for Sustainable Development reaffirms all the principles of the United Nations Conference on Environment and Development, held in Rio de Janeiro, Brazil, in 1992, in particular the principle of common but differentiated responsibilities. The Ministers noted that the new Agenda is guided by the purposes and principles of the Charter of the United Nations, including full respect for international law. The Ministers reaffirmed the outcomes of all major United Nations conferences and summits that have laid a solid foundation for sustainable development and have helped to shape the new Agenda. These include the Rio Declaration on Environment and Development, the outcomes of the World Summit on Sustainable Development and of the World Summit for Social Development, the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome of the United Nations Conference on Sustainable Development. The Ministers also reaffirmed the follow-up to these conferences, including the outcomes of the Fourth United Nations Conference on the Least Developed Countries, the third International Conference on Small Island Developing States, the second United Nations Conference on Landlocked Developing Countries and the Third United Nations World Conference on Disaster Risk Reduction. The Ministers also noted that the new

Agenda is grounded in the Universal Declaration of Human Rights, international human rights treaties, the Millennium Declaration and the 2005 World Summit Outcome. It is informed by other instruments, such as the Declaration on the Right to Development.

4. The Ministers reaffirmed the importance of integrating the three dimensions of sustainable development, namely inclusive economic growth, protection of the environment and social inclusion, in a balanced manner, without emphasizing one over the other.

5. The Ministers highlighted the need to foster peaceful, just and inclusive societies free from fear and violence. They recognized that there can be no sustainable development without peace and no peace without sustainable development.

6. The Ministers stressed the importance of adequate means of implementation of the 2030 Agenda for Sustainable Development and called upon developed countries to agree and commit to a new phase of international cooperation through a strengthened and scaled-up global partnership for development, which should be the centrepiece and anchor for both completing the unfinished business of the Millennium Development Goals and other internationally agreed development goals and implementing the 2030 Agenda for Sustainable Development, taking into account the lessons learned from the gaps in the implementation of the Goals.

7. The Ministers recognized that many countries, particularly developing countries, are plagued by the triple challenges of poverty, unemployment and inequality.

8. The Ministers reaffirmed the overarching objective of eradication of poverty, which remains the greatest global challenge and an indispensable requirement for sustainable development. They reiterated that poverty eradication is a central imperative of the 2030 Agenda for Sustainable Development and emphasized the need to address poverty as a multidimensional phenomenon. They stressed the importance of eradicating poverty "in all its forms and dimensions" in order to truly leave no one behind. The Ministers strongly supported the view that the 2030 Agenda for Sustainable Development should reinforce the commitment of the international community to eradicating poverty by 2030.

9. The Ministers committed to supporting national, regional and international efforts aimed at the eradication of poverty in all its forms and dimensions by 2030, which should be the overarching goal for Governments, assisted by an enabling global environment.

10. The Ministers called upon the United Nations system, in consultation with the international financial institutions, to develop transparent measurements of progress on sustainable development that go beyond per capita income, building on existing initiatives as appropriate. These should recognize the multidimensional nature of poverty and the social, economic and environmental dimensions of domestic output and structural gaps at all levels.

11. The Ministers reaffirmed that achieving women's empowerment and their full and effective participation in all spheres of society is fundamental to the achievement of equality and sustainable development.

12. The Ministers also recognize that the potential of women to engage in, contribute to and benefit from sustainable development as leaders, participants and agents of change has not been fully realized. They support prioritizing measures to promote gender equality and the empowerment of women and girls in all spheres of society. They resolve to unlock the potential of women as drivers of sustainable development through many measures and commit to creating an enabling environment for improving the situation of women and girls everywhere, particularly in rural areas and local communities and among indigenous peoples and ethnic minorities.

13. The Ministers committed to ensuring equal rights and opportunities for women in political and economic decision-making and resource allocation, to giving women equal rights with men to economic resources, and to ensuring access to education, finance, information and communications technologies, markets, legal assistance and other basic services, including health-care services, including safe, effective, affordable and acceptable modern methods of family planning.

14. The Ministers recall their respective commitments under General Assembly resolution 61/143 and other relevant resolutions on this matter, recognize that violence against women seriously violates all human rights of women and therefore agree to take action to eliminate all forms of violence, including feminicide and discrimination against women and girls, by means of a more systematic, comprehensive, multisectoral and sustained approach, adequately supported and facilitated by strong institutional mechanisms and financing, through national action plans, including those supported by international cooperation, and, where appropriate, national development plans, including poverty eradication strategies and programme-based and sector-wide approaches.

15. The Ministers stressed the need to promote in particular the economic empowerment of rural women, including through entrepreneurship training and financial inclusion, and to adopt rural development strategies, including budget framework and relevant assessment measures, as well as to ensure that the needs and priorities of rural women and girls are systematically addressed and that they can effectively contribute to poverty and hunger eradication and to food and nutrition security.

16. The Ministers expressed deep concern at the lack of satisfactory progress of social development, especially in the developing world. Stressing that the commitments made 20 years ago have not yielded the desired results, the Ministers nevertheless recognized that serious inroads have been made in the reduction of poverty, particularly for those living in extreme poverty. Efforts to significantly fight poverty have proved to be complex and have also largely been undermined by developments in the global environment, such as, inter alia, the world financial and economic crises, food insecurity and climate change, as well as challenges stemming from conflict and post-conflict situations.

17. The Ministers are of the firm view that, for economic growth to positively contribute to poverty reduction, it is essential that macroeconomic and social policies focus on job creation and social inclusion, as this will reduce inequalities and aid in providing social protection. Furthermore, the Ministers highlighted the need to invest much more, as a catalyst to economic growth, in infrastructure and interconnectivity and such basic services as health-care insurance and education while also ensuring that all people, including women, youth, the elderly, persons

with disabilities, migrants, indigenous peoples and people in vulnerable situations, have access to resources and opportunities.

18. The Ministers welcomed the Addis Ababa Action Agenda, which was adopted at the Third International Conference on Financing for Development, held from 13 to 16 July 2015 in Addis Ababa. The Ministers acknowledge that meaningful gains were attained in Addis Ababa as far as funding for development was concerned and that the reaffirmation of the principles of the United Nations Conference on Sustainable Development was foregrounded. There was, however, inter alia, a dire need for the development partners to meet their current official development assistance commitments and to upscale these in support of the aspirations that have been set under the 2030 Agenda for Sustainable Development. The Ministers reasserted that developing countries will continue to advocate for additional funding for development to be made available, with North-South cooperation central to these efforts.

19. The Ministers reaffirmed that the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda are completely different processes in scope. They stressed that the means of implementation for the 2030 Agenda for Sustainable Development cannot be a substitute for, or be replaced by, the Addis Ababa Action Agenda. Rather, the Addis Ababa Action Agenda should support and complement the means of implementation for the 2030 Agenda for Sustainable Development contained in Goal 17 and in each specific Sustainable Development Goal. The means of implementation contained in Goal 17, as well as in each Goal, are an integral part of the Sustainable Development Goals, which constitute an indivisible set, as well as a fundamental component of the 2030 Agenda for Sustainable Development in their own right.

20. The Ministers noted that there remain a number of issues of principle that are important to and fully endorsed by developing countries that have not been adequately accommodated in both outcomes. They reiterated that developing countries have not abandoned and will not abandon their principled positions. They will continue to strive for a just and equitable world economic system with effective, credible, accountable and legitimate institutions in the spirit of multilateralism, to ensure that the global partnership for development is genuine and adequately resourced to assist in reversing years of chronic underdevelopment and poverty that continue to affect their populations.

21. The Ministers stressed the importance of never losing sight of the unfinished business of the Millennium Development Goals and the need to build on them, in order to leave no one behind. They acknowledged the crucial work ahead in the implementation of the 2030 Agenda for Sustainable Development. They reaffirmed that more can be done to sufficiently mobilize financial and non-financial resources for development through the revitalized and reinvigorated global partnership for development, with North-South cooperation central thereto. This will make a huge impact in bridging global economic disparities and inequalities that continue to characterize the current world economic system. They reiterated the crucial need for adequate financing and the importance for developed countries to demonstrate leadership and unequivocal commitment, in order to assist developing countries in finally eradicating poverty. The private sector should complement such efforts. Public international financing thus remains of paramount importance, where the North should play a prominent role.

22. The Ministers affirmed that States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.

23. The Ministers also reaffirmed that the right of peoples and nations to permanent sovereignty over natural wealth and resources must be exercised in the interest of their national development and of the well-being of the people of the State concerned.

24. While emphasizing the sovereignty of their countries and peoples over their natural wealth, the Ministers are also aware of the duty to conserve and sustainably manage and use these resources and ensure the conditions for nature and ecosystems to have the capacity to regenerate, for the benefit of present and future generations. The Ministers also recognized that the sustainable use of natural resources is an effective way to achieve economic growth while reducing poverty and environmental degradation.

25. The Ministers will work towards full and equal access to formal financial services for all. The Ministers will also work for the international system to ensure that the policy and regulatory environment supports financial market stability and promotes financial inclusion in a balanced manner and with appropriate consumer protection. The Ministers encouraged, as appropriate and in accordance with national laws and regulations, the use of innovative tools, including mobile banking, payment platforms and digitized payments. The Ministers looked forward to strengthening capacity development for developing countries, including through the United Nations development system. The Ministers will work to ensure that adequate and affordable financial services are available to migrants and their families in both home and host countries, including by reducing the average transaction cost of migrant remittances. In this regard, the Ministers looked forward to the implementation of the 2030 Agenda for Sustainable Development.

26. The Ministers reiterated that the successful implementation of the 2030 Agenda for Sustainable Development, in particular the means of implementation, requires a revitalized and State-led global partnership for development. They therefore reaffirmed their strong commitment to the full implementation of this Agenda, taking into account different national realities, capacities and levels of development and respecting national policies and priorities, through the delivery of the means of implementation as contained in Goal 17, as well as in each specific Sustainable Development Goal.

27. The Ministers reiterated their position that developing countries should be supported by an enabling international environment, which includes a supportive and just international system where the rules are fair and pro-development, as well as a genuine and revitalized global partnership to enable developing countries to meet their sustainable development aspirations.

28. The Ministers stressed that an enabling international environment may be achieved through the provision of additional financing resources, technology transfer and diffusion with concessional and preferential terms, capacity-building, strengthened data collection and analysing capacity, pro-development trade policies,

equitable and effective participation of developing countries in global economic governance and adequate means of implementation for developing countries. They asserted that a strengthened and scaled-up global partnership for development is critical for developing countries in delivering the 2030 Agenda for Sustainable Development.

29. The Ministers reaffirmed the paramount importance of official development assistance in supporting the sustainable development needs of countries and regions, in particular African countries, least developed countries, landlocked developing countries, small island developing States and the middle-income countries. In this context, developed countries must commit to fully implementing their official development assistance commitments in keeping with their previously made undertakings and to upscale these efforts to play a meaningful role in eradicating poverty in all its forms. The Ministers called for the global partnership for development to be revitalized and reinvigorated.

30. The Ministers stressed that climate finance must not be double counted as official development assistance and must therefore be considered as separate from and additional to such assistance.

31. The Ministers recalled that sovereign debt matters should concern both developed and developing countries. This should be considered a matter that has the potential to adversely affect the global economy and the achievement of the Sustainable Development Goals if left unchecked. In this regard, the Ministers welcomed progress on debt and debt sustainability. The Ministers urged all United Nations Member States to further discuss sovereign debt restructuring and management processes, with active, inclusive participation and engagement by all relevant stakeholders, in order to nurture and strengthen these processes. The Ministers also reaffirmed the roles of the United Nations and the international financial institutions in accordance with their respective mandates.

32. The Ministers recognized the need to assist developing countries in attaining long-term debt sustainability through coordinated policies aimed at fostering debt financing, debt relief, debt restructuring and sound debt management, as appropriate. Many countries remain vulnerable to debt crises, and some are in the midst of crises, including a number of least developed countries, small island developing States and some developed countries. They reiterated that debtors and creditors must work together to prevent and resolve unsustainable debt situations. Maintaining sustainable debt levels is the responsibility of the borrowing countries; however, they acknowledged that lenders also have a responsibility to lend in a way that does not undermine a country's debt sustainability. They will support the maintenance of debt sustainability of those countries that have received debt relief and achieved sustainable debt levels.

33. The Ministers reiterated their concern about the activities of so-called "vulture funds" and their actions of a highly speculative nature, which pose a risk to all future debt restructuring processes, for both developing and developed countries. They therefore stressed the importance of preventing vulture funds from paralysing debt restructuring efforts.

34. The Ministers welcomed the adoption of General Assembly resolution 69/319, entitled "Basic Principles on Sovereign Debt Restructuring Processes", on 10 September 2015 as an important step.

35. The Ministers stressed the importance of advancing a more development-oriented multilateral trading system in the context of a universal, rules-based, predictable, more inclusive, open, non-discriminatory and equitable multilateral trading system. This also includes meaningful market access for developing countries, stimulating economic growth and development worldwide, thereby benefiting all countries at all stages of development, in particular African countries, the least developed countries, landlocked developing countries, small island developing States, countries in conflict and post-conflict situations, countries affected by conflict, and countries and people living under foreign occupation, as well as middle-income countries, as they advance towards economic development.

36. The Ministers stressed the need to conclude the World Trade Organization (WTO) Doha Development Round in line with its existing negotiating mandates. In this regard, they highlighted the significance of the Tenth WTO Ministerial Conference, to be held in Nairobi from 15 to 18 December 2015, which will be the first WTO Ministerial Conference to be held in Africa. They also highlighted the importance of accessions of the developing countries to WTO based on clear rules and pre-established objective criteria. They also stressed that the processes should be accelerated and carried out without political impediment and that acceding countries should not be asked to make commitments that go beyond their level of development and current WTO rules: in this context, the principles of special and differential treatment, including through less-than-full reciprocity, should be applied. The outcome of the Ministerial Conference should reaffirm that the Doha Round can be concluded only when its development mandate is fulfilled. The Ministerial Conference should give priority to issues that will address the imbalances and inequities of the global trading system, including urgent correction and prevention of trade restrictions and distortions in world agricultural markets, especially by developed countries, and seek to find balanced outcomes that will allow developing countries to effectively engage in global trade.

37. The Ministers reiterate the role of the United Nations Conference on Trade and Development in supporting and providing consultations, technical assistance and capacity-building to all developing countries on international trade and investment issues, enabling them to implement, among others, the Sustainable Development Goals.

38. The Ministers reaffirmed that technology is a key means of implementation and the most important lever of change for achieving sustainable development. Without a breakthrough in international cooperation in the field of technology, shifting to a more sustainable path would be very difficult and burdensome for developing countries. They recognized that closing technological gaps is an indispensable requirement for poverty eradication, as well as a key instrument for reducing inequalities within and among countries.

39. The Ministers welcomed the launch of a technology facilitation mechanism to support the implementation of the Sustainable Development Goals. The Ministers also expressed their willingness to work towards its early and successful implementation.

40. The Ministers recalled that the United Nations Framework Convention on Climate Change is the primary international, intergovernmental forum for negotiating the global response to climate change. The global nature of climate change calls for the widest possible international cooperation aimed at holding the

increase in global average temperature below 2°C or 1.5°C above pre-industrial levels by accelerating the reduction of global greenhouse gas emissions and to adapt to the impacts of climate change. Looking ahead to the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, to be held in Paris in December 2015, the Ministers called upon all States to work for a comprehensive and ambitious climate protocol, another legal instrument or agreed outcome with legal force under the Convention that will strengthen the multilateral rules-based system and address all the elements mandated by the Durban decision (mitigation, adaptation, finance, technology development and transfer, capacity-building and transparency of action and support), as well as loss and damage and response measures, in a balanced manner. The Ministers stressed that the developed countries, given their historical responsibility, need to take the lead in addressing this challenge in accordance with the principles and provisions of the Convention, particularly the principles of equity and common but differentiated responsibilities and respective capabilities, and provide financial and technological support to developing countries.

41. The Ministers welcomed the offer by the Government of Morocco to host the twenty-second session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, in 2016.

42. The Ministers welcomed the adoption by consensus on 19 June 2015 of General Assembly resolution 69/292 on the development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. In this regard, the Ministers emphasized that the basic principle enshrined in the United Nations Convention on the Law of the Sea and in General Assembly resolution 2749 (XXV) applicable to those resources is that of the common heritage of mankind, and that a specific legal regime for the biodiversity of areas beyond national jurisdiction needs to be developed in the form of an implementing agreement under the Convention based on that principle. Such an implementing agreement has to be negotiated as a package and must encompass the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction, including genetic resources, and the sharing of benefits taking into account intellectual property rights, scientific research, capacity-building and the transfer of marine technology.

43. The Ministers recalled that the importance of oceans for sustainable development is embodied in Agenda 21, the Johannesburg Plan of Implementation and various decisions taken by the former Commission on Sustainable Development. Oceans, seas, islands and coastal areas form an integrated and essential component of the Earth's ecosystem and are critical for global food security and for sustaining economic prosperity and the well-being of many national economies, particularly in developing countries. The Ministers further recalled that, in the context of Goal 14 of the Sustainable Development Goals, targets related to means of implementation include target 14.a, related to increasing scientific knowledge, developing research capacities and transferring marine technology in order to improve ocean health and to enhance the contribution of marine biodiversity to the development of developing countries, in particular small island developing States and least developed countries.

44. The Ministers recognize that the United Nations Forum on Forests, with its universal membership and comprehensive mandate, plays a vital role in addressing challenges and issues relating to forests in a holistic and integrated manner and in promoting policy coordination and cooperation to achieve the sustainable management of all types of forests and of trees outside forests. They encourage other forest-related forums, initiatives and processes to cooperate with the Forum to achieve sustainable forest management.

45. The Ministers were determined to promote sustainable tourism, to tackle water scarcity and water pollution, to strengthen cooperation on desertification, dust storms, land degradation and drought and to promote resilience and disaster risk reduction.

46. The Ministers welcomed the offer by the Government of Ecuador to host the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) in Quito in 2016 and, in that regard, decided to support the adoption of this decision by the General Assembly. The Ministers reiterated that the objectives of the Conference are to secure renewed political commitment for sustainable urban and rural development, assess accomplishments to date, address poverty and identify and address new and emerging challenges, as articulated in General Assembly resolution 67/216.

47. The Ministers reiterated their commitment and support to the guiding principles articulated in the annex to General Assembly resolution 46/182 of 19 December 1991, as the founding resolution of the framework for the provision of United Nations humanitarian assistance. The Ministers expressed that international humanitarian actors should complement, not substitute, national actors and that any relief operation requires the consent of the affected State but that this consent should not be arbitrarily withheld. Finally, the Ministers stressed the importance of adhering to the provisions of international human rights and humanitarian law when providing humanitarian assistance.

48. The Ministers also recognized the importance of actions of humanitarian assistance as part of a comprehensive process of disaster risk management and the promotion of sustainable development.

49. The Ministers emphasized the critical importance of disaster risk reduction and building resilience in achieving sustainable development, especially in developing countries. They reaffirmed their commitment to reducing losses in lives, livelihoods and health as a result of disasters through the implementation of the Sendai Framework for Disaster Risk Reduction 2015-2030. They stressed that enhancing international cooperation in the implementation of disaster risk reduction policies and strategies, in particular in developing countries, should be a crucial element in the post-2015 framework.

50. The Ministers expressed their concern with regard to forecasts that the world could be on the verge of the strongest "El Niño" phenomenon in recorded history, which would involve extreme temperature variations, floods and droughts worldwide and would particularly affect the most vulnerable populations. In this regard, the Ministers called for strengthening international cooperation to prevent major damage and ensure an adequate response and attention to the affected populations in a timely manner in order to ensure resilience to its impacts.

51. The Ministers maintained that, while there is increasing recognition of the central role of tax systems in development, there is still no global, inclusive forum for international tax cooperation at the intergovernmental level. There is also not enough focus on the development dimension of these issues. In this context, the Ministers reiterated the need to fully upgrade the Committee of Experts on International Cooperation in Tax Matters into an intergovernmental body. This will be critical in transforming the current Committee from experts acting in their own capacity to an intergovernmental subsidiary body of the Economic and Social Council, with experts representing their respective Governments.

52. The Ministers stressed that migration is an enabler of development. The roles and responsibilities of the countries of origin, transit and destination should be appropriately balanced. It is crucial to cooperate internationally to ensure safe, orderly and regular migration involving full respect for human rights and the humane treatment of migrants, regardless of their migration status, refugees and displaced persons. Such cooperation should also strengthen the resilience of communities hosting refugees, particularly in developing countries.

53. The Ministers recognize that international migration is a multidimensional reality of major relevance to the development of origin, transit and destination countries that must be addressed in a coherent, comprehensive and balanced manner. They endeavour to increase cooperation on access to and portability of earned benefits, enhance the recognition of foreign qualifications, education and skills, lower the costs of recruitment for migrants and combat unscrupulous recruiters, in accordance with national circumstances and legislation. They further endeavour to implement effective social communication strategies on the contribution of migrants to sustainable development in all its dimensions, in particular in countries of destination, in order to combat racism, racial discrimination and xenophobia, facilitate social integration and protect migrants' human rights through national frameworks. They reaffirm the need to promote and protect effectively the human rights and fundamental freedoms of all migrants, especially those of women and children, regardless of their migration status.

54. The Ministers expressed their commitment to protecting the human rights of migrant children, given their vulnerability, particularly of unaccompanied migrant children, and to providing for their health, education and psychosocial development, ensuring that the best interests of the child are a primary consideration in policies of integration, return and family reunification.

55. The Ministers, while recognizing the positive contribution of migrants to inclusive growth and sustainable development in countries of origin, transit and destination, reaffirmed that remittance flows constitute sources of private capital, complement domestic savings and are instrumental in improving the well-being of recipients. The Ministers stressed that remittances cannot be considered a substitute for foreign direct investment, official development assistance, debt relief or other public sources of financing for development.

56. The Ministers also stressed the need to further address and promote conditions for cheaper, faster and safer transfers of remittances in both source and recipient countries and, as appropriate, encouraged opportunities for development-oriented investment in recipient countries by beneficiaries that are willing and able to take such action.

57. The Ministers recalled the special needs of Africa and recognized that, while economic growth had improved, there was a need to sustain the recovery, which was fragile and uneven, to face the ongoing adverse impacts of multiple crises on development and the serious challenges that these impacts posed to the fight against poverty and hunger, which could further undermine the achievement of the internationally agreed development goals in Africa.

58. The Ministers expressed profound concern about the fact that the commitment to doubling aid to Africa by 2010, as articulated at the summit of the Group of Eight held in Gleneagles, United Kingdom, had not been entirely reached and in this regard stressed the need to make rapid progress in order to fulfil that and other donors' commitments to increasing aid through a variety of means, including the provision of new additional resources and the transfer of technology to and the building of capacity in African countries, and to supporting their sustainable development. They called for continued support for Africa's development initiatives, including Agenda 2063 and its 10-year plan of action, the New Partnership for Africa's Development and the Programme for Infrastructure Development in Africa. On the other hand, they welcomed the support that some developing countries had extended to Africa through South-South and triangular cooperation programmes.

59. The Ministers expressed their concern that the global financial and economic ongoing crisis is clearly undermining development in all developing countries and recalled that the modest development gains, in particular those in the least developed countries, made over the years are being reversed, pushing a larger number of their people to extreme poverty. Many least developed countries continue to be lagging behind in meeting most of the internationally agreed development goals, including the Millennium Development Goals.

60. The Ministers emphasized the need for the full and effective implementation of the commitments made in the Istanbul Programme of Action for the Least Developed Countries for the Decade 2011-2020. The Ministers further underlined the critical need for realizing expeditiously the renewed and strengthened global partnership for the least developed countries in order to overcome their structural challenges, eradicate poverty, achieve internationally agreed development goals and enable half of the least developed countries to meet the criteria for graduation from the category by 2020.

61. The Ministers reaffirmed that small island developing States remain a "special case" for sustainable development owing to their unique and particular vulnerabilities, including their small size, remoteness, narrow resource and export base, and exposure to global environmental challenges, including to a large range of impacts from climate change and potentially more frequent and intense natural disasters. Climate change and sea level rise continue to pose a significant risk to small island developing States and their efforts to achieve sustainable development and, for some, represent the gravest threat to their survival and viability, including, for some, through the loss of territory.

62. The Ministers reaffirmed the SIDS Accelerated Modalities of Action (SAMOA Pathway), adopted at the third International Conference on Small Island Developing States, held in Apia from 1 to 4 September 2014, which represents the international community's renewed political commitment to the sustainable development of small island developing States. The Ministers further recalled that the Samoa Pathway

also set out new modalities for strengthened action on a range of challenges and priorities concerning small island developing States and demonstrated how partnerships with different stakeholders could be nurtured and utilized as one of the important means to implement the outcome document and build resilience to the particular challenges faced by small island developing States.

63. The Ministers recognized the special needs of and challenges faced by landlocked developing countries caused by these States' lack of territorial access to the sea, which is aggravated by their remoteness from world markets, and expressed concern about the fact that the inclusive economic growth and social well-being of landlocked developing countries remained very vulnerable to external shocks and to the multiple challenges that the international community faced, including the financial and economic crisis and climate change. They stressed the need for the international community to enhance development assistance to landlocked developing countries to help them to overcome their vulnerabilities, build resilience and set themselves on a path of sustainable social and economic development. They further reaffirmed the need to address the special challenges and needs of landlocked developing countries in structurally transforming their economies, harnessing benefits from international trade and developing efficient transport and transit systems.

64. The Ministers reaffirmed their strong commitment to the implementation of the Vienna Declaration and the Vienna Programme of Action for Landlocked Developing Countries for the Decade 2014-2024, adopted at the second United Nations Conference on Landlocked Developing Countries, held in Vienna from 3 to 5 November 2014, to address in a holistic manner the special development needs and challenges of landlocked developing countries arising from their landlockedness, remoteness and geographical constraints. The Ministers also reaffirmed their commitment to contributing to the renewed and strengthened partnership between landlocked developing countries, transit countries and their development partners for the full, successful and timely implementation of the Vienna Programme of Action. The Ministers welcomed the Livingstone Call for Action for the Accelerated Implementation of the Vienna Programme of Action, adopted at the high-level follow-up ministerial meeting to the Vienna Conference held in Livingstone, Zambia, in June 2015, which highlights the key measures and initiatives required to accelerate the implementation of the Vienna Programme of Action.

65. The Ministers recognized that middle-income countries still face significant challenges to achieving sustainable development. In order to ensure that achievements made to date are sustained, efforts to address ongoing challenges should be strengthened through the establishment of a plan of action towards cooperation with this group of countries in order to strengthen the exchange of experiences, improve coordination and better focus support from the United Nations development system, the international financial institutions, regional organizations and other stakeholders. The Ministers therefore requested those stakeholders to ensure that the diverse and specific development needs of middle-income countries are appropriately considered and addressed in a tailored fashion in their relevant strategies and policies, with a view to promoting a coherent and comprehensive approach towards individual countries. The Ministers also acknowledged that official development assistance and other concessional finance are still important for a number of these countries and have a role to play for targeted results, taking

into account the specific needs of these countries. In this regard, the Ministers highlighted the need to make all institutional arrangements necessary to support middle-income countries within the United Nations system.

66. The Ministers underscored the importance of addressing the debt sustainability challenges faced by some middle-income countries, particularly those for which access to concessionary financing is limited.

67. The Ministers recognized that countries in conflict and post-conflict situations also need special attention. The development challenge posed by conflict can hinder and also reverse decades of development gains. Development finance can contribute to reducing social, environmental and economic vulnerabilities and enable countries to prevent or combat conflict situations. In addition, there is a need for aid to be delivered efficiently through simplified mechanisms, focusing on strengthening the capacity of local and national institutions while stressing the importance of country ownership and leadership in peacebuilding, social inclusion and development.

68. The Ministers resolved to take further effective measures and actions, in conformity with international law, to remove obstacles and constraints, strengthen support and meet the special needs of people living in areas affected by complex humanitarian emergencies and in areas affected by terrorism. In this context, they called for strengthening international cooperation and national institutions to combat money-laundering and financing of terrorism.

69. The Ministers welcomed the progress made in the implementation of various projects and initiatives under South-South cooperation in recent years and reaffirmed the importance of further strengthening South-South cooperation, especially in the current international economic environment, and reiterated their support for South-South cooperation as a strategy to sustain the development efforts of developing countries and as a means of enhancing their participation, including through sharing knowledge and best practices, in the global economy. The Ministers reaffirmed the Nairobi outcome document of the High-level United Nations Conference on South-South Cooperation, recognized the importance, unique history and particularities of South-South cooperation and reaffirmed their view of South-South cooperation as a manifestation of solidarity among peoples and countries of the South that contributes to their national well-being, their national and collective self-reliance and the attainment of internationally agreed development goals, including the Millennium Development Goals and the Sustainable Development Goals. South-South cooperation and its agenda have to be set by countries of the South and should continue to be guided by the principles of respect for national sovereignty, national ownership and independence, equality, non-conditionality, non-interference in domestic affairs and mutual benefit.

70. The Ministers reiterated their position that South-South cooperation is a complement to, rather than a substitute for, North-South cooperation and reaffirmed that South-South cooperation is a collective endeavour of developing countries and that, consequently, South-South cooperation deserves its own separate and independent promotion, as reaffirmed in the Nairobi outcome document. In this context, the Ministers stressed that South-South cooperation and its agenda must be driven by the countries of the South. South-South cooperation, which is critical for developing countries, therefore requires long-term vision and a global institutional arrangement, as envisioned at the Second South Summit.

71. The Ministers call for strengthening triangular cooperation and, in this regard, invite all developed countries to increase their official development assistance allocations to finance triangular cooperation initiatives in order to ensure additional support to the exchange of knowledge, good practices, experiences and relevant public policies. The initiatives shall be defined by principles of South-South cooperation, such as solidarity, reciprocity, respect for national sovereignty, national ownership and independence, non-conditionality, non-interference in domestic affairs, shared governance and mutual benefit.

72. The Ministers strongly recommended the consolidation of existing mechanisms of South-South cooperation and called for the establishment of the United Nations specialized agency for South-South cooperation to be located in a developing country.

73. The Ministers highlighted the critical importance for developing countries of ensuring that the conceptual framework underlying South-South cooperation responds to the new and numerous challenges faced by developing countries through the exploration of new ways of thinking and new modalities, in line with evolving realities, thereby making it an important pillar to further strengthen South-South cooperation.

74. The Ministers stressed that the High-level Committee on South-South Cooperation is the central multilateral policymaking body in the United Nations system to review and assess global and system-wide progress on and support for South-South cooperation, including triangular cooperation, and to assist in providing future guidance and direction on these issues for the benefit of developing countries. They urged all partners interested in supporting South-South cooperation to be guided by the principles and objectives of such cooperation established in such internationally agreed documents as the Buenos Aires Plan of Action for Promoting and Implementing Technical Cooperation among Developing Countries, which was endorsed by the General Assembly in its resolution 33/134 of 19 December 1978, and the Nairobi outcome document of the High-level United Nations Conference on South-South Cooperation, which was endorsed by the General Assembly in its resolution 64/222 of 21 December 2009, as well as other relevant General Assembly resolutions. The Ministers therefore reiterated the Group's position that any policy debate outside the United Nations system should be guided by the agreed frameworks above and the Yamoussoukro Consensus on South-South Cooperation.

75. The Ministers also recommended that the United Nations Office for South-South Cooperation be enabled to participate in the United Nations System Chief Executives Board for Coordination in keeping with its status as a separate entity within the United Nations for the global coordination and promotion of South-South cooperation for development on a United Nations system-wide basis, in accordance with General Assembly resolutions. The Ministers stressed that the Office is the articulator of South-South cooperation in the United Nations system and that the United Nations Development Programme should not duplicate, overlap with or undertake the system-wide functions and responsibilities of the Office. The Ministers reaffirmed the importance of strengthening the Office for South-South Cooperation with human and financial capacity.

76. The Ministers recognized the need to mobilize adequate resources for enhancing South-South cooperation and, in this context, invite contributions in support of such

cooperation through, inter alia, the Pérez-Guerrero Trust Fund for South-South Cooperation and the United Nations Fund for South-South Cooperation.

77. The Ministers recalled the Development Platform for the South and invited States members of the Group of 77 and China to host brainstorming sessions of the high-level panel of eminent personalities of the South with a view to updating the Platform regularly, taking into account the evolving realities and challenges that developing countries face.

78. The Ministers noted that, in view of the mounting and intractable challenges that developing countries face, more frequent high-level meetings of the Group on thematic or sectoral issues, and with action-oriented outcomes, might be required. To this end, the Ministers invited members of the Group of 77 and China to make offers to regularly host high-level meetings of the Group on key issues of interest to the South. In this context, the Ministers welcomed the generous offer by the Government of Equatorial Guinea to host the Third South Summit in Malabo in 2016. They expressed their gratitude to the Government and people of Equatorial Guinea.

79. The Ministers renewed the invitations to all States members of the Group to consider hosting the thirteenth session of the Intergovernmental Follow-up and Coordination Committee on South-South Cooperation in preparation for the South Summit in 2016.

80. The Ministers approved the report of the thirtieth meeting of the Committee of Experts of the Pérez-Guerrero Trust Fund for South-South Cooperation contained in document G-77/AM(XXVII)/2015/2 and endorsed its recommendations. The Ministers commended the Chair of the Trust Fund for his continued commitment and expressed their satisfaction with the results achieved by the Trust Fund. In the light of the substantial decrease in the interest earnings of the Fund caused by the current world financial situation, as reported by the Chair of the Trust Fund, the Ministers appealed to every member State to make a significant contribution to the Fund on the occasion of the United Nations Pledging Conference for Development Activities, to be held in New York on 9 November 2015.

81. The Ministers approved the financial statement of the Economic Cooperation among Developing Countries Account of the Group of 77 contained in document G-77/AM(XXVII)/2015/3, as presented by the Chair of the Group of 77, and urged those member States that have not yet done so to make special efforts to pay their outstanding contributions.

82. The Ministers reaffirmed that the Fifth Committee of the General Assembly is the sole Main Committee of the Organization entrusted with responsibilities for administrative, financial and budgetary matters. In this regard, the Ministers requested that any budgetary, financial and administrative matters, including those related to the establishment of a peacekeeping operation or a special political mission, be discussed solely in the framework of the Fifth Committee, in conformity with the Charter of the United Nations.

83. The Ministers reaffirmed that any Secretariat and management reform efforts, including on its budget process, must not be intended to change the intergovernmental, multilateral and international nature of the Organization but must strengthen the ability of Member States to perform their oversight and monitoring role and that prior consideration by and approval of Member States is

essential in all cases where the measures to be implemented fall under the prerogatives of the General Assembly. In this regard, they recall resolution 66/257. They also reaffirmed the right of the entire membership of the United Nations to pronounce itself on the administration of the Organization, including on budgetary matters, and the need for continuous interaction and dialogue between the Secretariat and the General Assembly aimed at fostering a positive environment for the negotiations, the decision-making process and the implementation of the reform measures.

84. The Ministers strongly supported the oversight role performed by the General Assembly, as well as its relevant intergovernmental and expert bodies, in planning, programming, budgeting, monitoring and evaluation. In this context, they renewed their commitment to strengthening the role of the Committee for Programme and Coordination. The Ministers also urged the rest of the membership of the United Nations to actively participate in the sessions of the Committee.

85. The Ministers reaffirmed the importance of the strategic framework as the principal policy directive of the Organization and that its content should fully reflect the mandates approved by Member States, including the Financial Regulations and Rules of the United Nations.

86. The Ministers reaffirmed the importance of preserving the budget methodology, the established budgetary procedures and practices and the rules and regulations governing the budget process and stressed that the level of resources to be approved by the General Assembly must be commensurate with all mandated programmes and activities in order to ensure their full and effective implementation. In this regard, they underlined that the existing recosting methodology is a fundamental and integral element of the budgetary methodology agreed in the General Assembly and affirmed that the existing recosting methodology ensures that mandated activities are not negatively affected by currency fluctuations and inflation.

87. The Ministers underlined that the current methodology for the preparation of the scale of assessments reflects changes in the relative economic situations of the United Nations Member States. The Ministers further reaffirmed the principle of "capacity to pay" as the fundamental criterion in the apportionment of the expenses of the United Nations and rejected any change to the elements of the current methodology for the preparation of the scale of assessments aimed at increasing the contributions of developing countries. In this regard, they emphasized that the core elements of the current methodology of the scale of assessment, such as base period, gross national income, conversion rates, low per capita income adjustment, gradient, floor, ceiling for least developed countries and debt stock adjustment must be kept intact and are not negotiable.

88. The Ministers stressed that the current maximum assessment rate, or ceiling, had been fixed as a political compromise and is contrary to the principle of the capacity to pay and is a fundamental source of distortion in the scale of assessments. In this context, they urged the General Assembly to undertake a review of this arrangement, in accordance with paragraph 2 of General Assembly resolution 55/5 C.

89. The Ministers emphasized that organizations that have an enhanced observer status at the United Nations giving them the rights and privileges usually applied only to observer States, such as the right to speak in the general debate of the

General Assembly and the right of reply, should also have the same financial obligations to the United Nations as observer States. In this context, they urged the General Assembly to consider a decision on an assessment for such organizations.

90. The Ministers affirmed that the current principles and guidelines for the apportionment of the expenses of peacekeeping operations approved by the General Assembly in its relevant resolutions should constitute a basis for any discussion on the peacekeeping scale. In this regard, the Ministers stressed that the peacekeeping scale must clearly reflect the special responsibilities of the permanent members of the Security Council for the maintenance of peace and security. The Ministers also recalled that the economically less developed countries have limited capacity to contribute towards the budgets of peacekeeping operations. In this context, the Ministers emphasized that any discussion on the system of discounts applied to the peacekeeping scale should take into account the conditions of developing countries, whose current positions must not be negatively affected. The Ministers stressed, in this regard, that no member of the Group of 77 and China that is not a permanent member of the Security Council should therefore be categorized above level C.

91. The Ministers express their concern for the growing restrictive nature of "earmarked" contributions within different United Nations entities, such as the United Nations Development Programme, the United Nations Population Fund, the United Nations Office for Project Services and the United Nations Children's Fund, among others. They also emphasized that regular resources are the bedrock of those entities and are essential to maintaining and fulfilling their universal mandate and work. Hence, the declining trend of regular resources and a high concentration of earmarked funds put the Organization at risk of not having the capacity to deliver on its programmes. The Ministers appealed for assuring stable and predictable contributions and noted the important need to emphasize the quality, flexibility, predictability and alignment of such contributions.

92. The Ministers reiterated their support to the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, established by General Assembly resolution 2099 (XX) of 20 December 1965 for the purpose of contributing to greater knowledge of international law as a means of strengthening international peace and security and promoting friendly relations and cooperation among States. They recalled that the Programme and its components are one of the cornerstones of the efforts of the United Nations to promote international law and that jurists, academics, diplomats and other public officials from developing countries greatly benefit from the regional courses in international law, fellowships, publications and the United Nations Audiovisual Library of International Law. In the light of their concern about the lack of voluntary resources to support the activities of this important Programme, the Ministers welcomed the provisions of General Assembly resolution 69/117 and expressed their commitment to supporting the inclusion of additional resources under the proposed programme budget for the biennium 2016-2017 for the organization of the Regional Courses in International Law for Africa, for Asia-Pacific and for Latin America and the Caribbean each year and for the continuation and further development of the Audiovisual Library of International Law, as well as the inclusion in the regular budget of the necessary funding for the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea with effect from the biennium 2016-2017 in attention to the fact that voluntary contributions are insufficient for granting at least one fellowship a year. They also expressed their

commitment to including the International Law Fellowship Programme, seminars and regional training on international treaty laws and practice and legal publications and training materials in the regular budget of the United Nations, starting from the biennium 2018-2019.

93. The Ministers reaffirmed the importance of respect for the universal realization of the right of peoples to self-determination, in particular of peoples living under colonial or foreign occupation and other forms of alien domination, which adversely affects their social and economic development, respect for the independence of States, national sovereignty, unity and territorial integrity and non-interference in the internal affairs of States, including through the use of information and communications technologies, in particular social networks, contrary to the principles of international law, for the effective guarantee and observance of human rights, enshrined in the Charter of the United Nations and embodied in the international covenants on human rights, and stress that full respect for the principles and purposes enshrined in the Charter and international law inspire full commitment to multilateralism.

94. The Ministers deplored the lasting and massive negative impact of the brutal military aggression committed by Israel, the occupying Power, in July and August 2014 against the Palestinian civilian population in the occupied Gaza Strip, which resulted in the killing of more than 2,150 Palestinians, including hundreds of children and women, and injury to more than 11,000 Palestinians as a result of the lethal, indiscriminate and excessive use of force by Israeli occupying forces, as well as the wanton destruction of thousands of Palestinian homes, vital civilian infrastructure, business properties, mosques, schools, hospitals, public institutions, farms and several United Nations facilities in Gaza. They expressed grave concern about the continuing obstruction of recovery due to the Israeli blockade and the resulting deterioration of infrastructure and services and stressed the urgency of reconstruction. The Ministers deplored the systematic, grave breaches of international law, including international humanitarian and human rights law, committed by Israel in this regard. They called for accountability for these crimes and violations and called upon the Security Council, in line with its Charter duty for the maintenance of international peace and security, to undertake serious follow-up efforts to bring an end to Israel's impunity and realize justice for the victims and to contribute to a peaceful and just solution to the Palestinian-Israeli conflict.

95. The Ministers reiterated their demand for the immediate and full lifting of the Israeli blockade imposed on the Gaza Strip, which constitutes the massive collective punishment of its inhabitants in grave contravention of international humanitarian and human rights law. The Ministers requested all members of the international community, the United Nations and other international organizations and non-governmental organizations to help to provide the victims of the Israeli aggression in the Gaza Strip with the required humanitarian assistance on an urgent basis. They also reiterated their call upon the international community to continue providing much-needed developmental and humanitarian assistance to the Palestinian people, among them Palestine refugees, during this critical period, particularly for reconstruction and economic recovery in the Gaza Strip, including through the United Nations agencies present on the ground and providing vital assistance, including the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

96. The Ministers expressed deep concern about the further decline of the social and economic conditions of the Palestinian people as a result of illegal Israeli practices, which include but are not limited to the continuing colonization of Palestinian land by Israel, the occupying Power, in grave breach of international humanitarian law and the Rome Statute of the International Criminal Court, as well as in flagrant violation of relevant United Nations resolutions and disrespect of the advisory opinion of the International Court of Justice. In this connection, the Ministers demanded a halt to Israel's confiscation of Palestinian property, construction and expansion of Israeli settlements and the wall, demolition of Palestinian homes and forced displacement of Palestinian civilians. They also expressed grave concern over the frequent acts of violence, terror and incitement against Palestinian civilians and the destruction of Palestinian properties by Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, and called for action to hold the perpetrators accountable for these crimes.

97. The Ministers reaffirmed their unwavering support for the just cause of Palestine and solidarity with the Palestinian people. They reaffirmed their principled and long-standing support for the right of the Palestinian people to self-determination and the achievement of their legitimate national aspirations, including for freedom, independence, justice, peace and dignity in their independent State of Palestine, with East Jerusalem as its capital, and called for the exertion by the international community of the necessary efforts in support of these objectives.

98. The Ministers reiterated their call for the immediate and full withdrawal of Israel, the occupying Power, from the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan to the line of 4 June 1967 and from the remaining Lebanese occupied land. They reaffirmed their support for a Middle East peace process aimed at achieving a comprehensive, just and lasting peace in the region, in accordance with the relevant United Nations resolutions, including Security Council resolutions 242 (1967), 338 (1973), 425 (1978) and 1850 (2008) and the principle of land for peace. In this context, they also reaffirmed their support for the Arab Peace Initiative, endorsed by the Arab Summit Conference in March 2002.

99. The Ministers reaffirmed the inalienable rights of the Palestinian people and of the population of the occupied Syrian Golan over their natural resources, including land, water and energy resources, and demanded that Israel, the occupying Power, cease the exploitation, damage, cause of loss or depletion and endangerment of the natural resources in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, which constitute violations of international law and severely undermine their ability to pursue sustainable development.

100. Recalling that 16 December 2015 will mark the fiftieth anniversary of the adoption of General Assembly resolution 2065 (XX), the first resolution that specifically refers to the question of the Malvinas Islands, the Ministers reaffirmed the need for the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume negotiations in accordance with the principles and the objectives of the Charter of the United Nations and the relevant resolutions of the General Assembly, in order to find, as soon as possible, a peaceful solution to the sovereignty dispute relating to the question of the Malvinas Islands, which seriously damages the economic capacities of the Argentine Republic and the need for both parties to refrain from taking decisions that would imply introducing

unilateral modifications in the situation while the islands are going through the process recommended by the General Assembly.

101. Highlighting the right of the States members of the Group of 77 to permanent sovereignty over their energy resources, the Ministers expressed the view that the operations carried out by companies not authorized by the Argentine Government in the Malvinas Islands area relating to the exploration of natural resources, especially hydrocarbon resources, are seriously detrimental to the sovereignty rights of the Argentine Republic over its continental shelf.

102. In this regard, the Ministers recognized the right of the Argentine Republic to take legal actions with full respect for international law and relevant resolutions against unauthorized hydrocarbon exploration and exploitation activities in the referred area.

103. The Ministers reaffirmed the need to find a peaceful solution to the sovereignty issues facing developing countries, including the dispute over the Chagos Archipelago, including Diego Garcia, which was unlawfully excised by the United Kingdom from the territory of Mauritius, prior to independence, in violation of international law and General Assembly resolutions 1514 (XV) of 14 December 1960 and 2066 (XX) of 16 December 1965. Failure to resolve these decolonization and sovereignty issues would seriously damage and undermine the development and economic capacities and prospects of developing countries. In this regard, the Ministers note with great concern that, despite strong opposition from Mauritius, the United Kingdom purported to establish a "marine protected area" around the Chagos Archipelago, which contravenes international law and further impedes the exercise by Mauritius of its sovereign rights over the archipelago and the right of return of Mauritius citizens who were forcibly removed from the archipelago by the United Kingdom.

104. The Ministers emphasized that transnational corporations have a responsibility to respect all human rights and should refrain from causing environmental degradation and environmental disasters and affecting the well-being of peoples.

105. The Ministers took note of the holding of the first session of the Open-ended Intergovernmental Working Group on Transnational Corporations and other Business Enterprises with respect to Human Rights, held in Geneva from 6 to 10 July 2015, and encourage all member States to participate actively and constructively in the fulfilment of the Working Group's mandate in the upcoming sessions.

106. The Ministers reaffirmed their firm rejection of the imposition of laws and regulations with extraterritorial impact and all other forms of coercive economic measures, including unilateral sanctions, against developing countries and reiterate the urgent need to eliminate them immediately. They emphasized that such actions not only undermine the principles enshrined in the Charter of the United Nations and international law but also severely threaten the freedom of trade and investment. The Ministers therefore called upon the international community to adopt urgent and effective measures to eliminate the use of unilateral coercive economic measures against developing countries.

107. The Ministers expressed their strongest rejection of the implementation of unilateral coercive measures and reiterated their solidarity with Cuba. As they welcomed the re-establishment of diplomatic relations between the Republic of Cuba and the United States of America, they reaffirmed their call upon the

Government of the United States to put an end to the economic, commercial and financial blockade imposed on that sisterly nation for more than five decades. The Ministers encouraged the President of the United States of America to take all actions within his executive powers to substantially modify the application of the blockade against Cuba and the United States Congress to initiate, as soon as possible, a discussion on removing it.

108. The Ministers reaffirmed their rejection of the unilateral economic sanctions imposed on the Sudan, which have a negative impact on the development and prosperity of the people of the Sudan, and in this regard called for an immediate lifting of those sanctions.

109. The Ministers reaffirmed their rejection of the unilateral economic sanctions imposed on the Islamic Republic of Iran, which have a negative impact on the development and prosperity of the people of the Islamic Republic of Iran, and in this regard called for an immediate lifting of those sanctions.

110. The Ministers reaffirmed their rejection of the unilateral economic sanctions imposed on the Bolivarian Republic of Venezuela, which have a negative impact on the development and prosperity of this country, and in this regard emphasized the importance of dialogue and called for an immediate lifting of those sanctions.

111. The Ministers reaffirmed their rejection of the unilateral economic sanctions imposed on the Syrian Arab Republic, which have a negative impact on the development and prosperity of the people of Syria, and in this regard called for an immediate lifting of those sanctions.

112. The Ministers expressed their deep appreciation to South Africa for its able leadership and for its excellent work and tireless efforts as the Chair country of the Group of 77 for 2015. As 2015 proved to be a challenging year for all developing countries, the commitment shown by South Africa as Chair country in pursuing the goals and objectives of the Group of 77 was a source of profound gratitude. The Ministers also commended the efficient work and continued valuable support provided by the secretariat of the Group of 77 in New York to the Chair country and to the member States and congratulated the Executive Secretary of the Group of 77 on the achievement award presented to him during the opening ceremony of the ministerial meeting in recognition of his outstanding performance and his continued commitment and dedication to the goals and objectives of the Group of 77.

113. The Ministers warmly welcomed the election by acclamation of the Kingdom of Thailand as Chair of the Group of 77 for 2016.

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Agenda item 72 (c)
Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Situation of human rights in the Islamic Republic of Iran

Note by the Secretary-General*

Summary

The Secretary-General has the honour to transmit the fifth report on the situation of human rights in the Islamic Republic of Iran submitted by the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran to the General Assembly in accordance with Human Rights Council resolution 28/21. The Special Rapporteur presented his fourth interim report to the General Assembly at its sixty-ninth session (A/69/356), and submitted his fourth report to the Human Rights Council at its twenty-eighth session (A/HRC/28/70), during which the Human Rights Council extended the mandate of the Special Rapporteur for the fourth time.

The present report does not detail all violations of human rights in the country reported to the Special Rapporteur. However, it provides an overview of the prevailing human rights situation, with a focus on systemic issues that pose obstacles to the ability of the Government of the Islamic Republic of Iran to comply with its international human rights obligations and commitments, including recommendations accepted by the Government at the outcome of its universal periodic review in March 2015.

* Late submission owing to consultations with relevant stakeholders, including the Member State.

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Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran to the seventieth session of the General Assembly

I. Introduction

1. The Special Rapporteur welcomes the recent nuclear agreement struck between the Islamic Republic of Iran and the P5+1 countries (China, France, Germany, Russian Federation, United Kingdom and United States) on 14 July 2015.[1] Given the close interrelationship between peace, development and human rights, the agreement and subsequent lifting of economic sanctions can potentially have a beneficial multiplier effect on the human rights situation in the country, especially on the enjoyment of economic and social rights.[2]

2. The Special Rapporteur has drawn attention to the apparent ineffectiveness of humanitarian safeguards against the negative impact of economic sanctions on the country's human rights situation since 2012 (see A/67/369, para. 2; A/HRC/22/56, paras. 75-79; A/68/503, paras. 66-75; A/HRC/25/61, para. 92; and A/69/356, paras. 90-97). Economic sanctions have undoubtedly, directly or indirectly, affected the economy, health care and environment. They appear to have contributed to the rising costs of basic commodities, and have seemingly affected access to medicines and medical supplies. These circumstances have also led to the closure of businesses, increased unemployment and have had a dramatic effect on the standard of living (see A/69/356, paras. 93-97; A/67/327, para. 42; and A/68/377, para. 33).

3. The Special Rapporteur expresses his hope that this development will allow the Government to redouble its efforts in furtherance of the protection and promotion of human rights in the Islamic Republic of Iran.[2] The Government has the responsibility to fulfil all of its international legal obligations, and the Special Rapporteur encourages the authorities to make human rights a priority. This includes improving its engagement with the United Nations human rights mechanisms, especially those responsible for monitoring the issues set out in the present report.

4. The authorities remain reticent on repeated requests issued for country visits since 2005 and 2011 by eight thematic special procedures and the country-specific mandate holder, respectively.[3] The Government responded to 1 of 15 communications, including 3 allegation letters and 12 urgent appeals, transmitted between January and September 2015. In its comments on the current report, the authorities communicated that "responses to a number of communications are being translated and will be sent to questioning bodies." It also recalled that "seven thematic Special Procedures mandate holders and working groups of the Council have visited Iran", and that an invitation to the Special Rapporteur on the right to food was recently extended. The Special Rapporteur notes, however, that no mandate holder has visited the country since 2005.

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[1] OHCHR, "UN human rights expert hails nuclear deal with Iran, and calls for the immediate lifting of sanctions", 14 July 2015.

[2] OHCHR, "'Now comes the time to focus on human rights in Iran', UN expert welcomes opportunity created by nuclear deal", 15 July 2015.

[3] See www.ohchr.org/EN/HRBodies/SP/Pages/CountryvisitsF-M.aspx.

5. The Government continues to engage with the Special Rapporteur on the allegations presented in his reports.[4] The Permanent Representative in Geneva and a delegation that included members of the judiciary, the High Council for Human Rights, the Ministry of Foreign Affairs and Chief of the Anti-Narcotics forces held meetings with the Special Rapporteur on 15 and 16 September 2015 to discuss both the gravity of the drug problem facing the Iranian people and the Government's response to these conditions. Information raised in this meeting is provided in the following section.

6. The Special Rapporteur re-examined the 291 recommendations offered by Member States to the Islamic Republic of Iran during the second cycle of its universal periodic review in October 2014, along with the 130 recommendations accepted by the Government at the outcome of that review in March 2015 (see table). Individual recommendations frequently touched on multiple civil, political, social, economic, and cultural rights, and either encouraged the Government to strengthen protections for these rights and/or to cease practices that violate them. The issue of women's full and equal enjoyment of these rights was raised in 57 recommendations forwarded by delegations from five regional groups and constituted the most frequently raised issue of concern during the review.

Overview of issues raised and recommendations, by human rights issue

Categories	*Number of times issues were raised in 291 recommendations*	*Percentage of issues raised in 291 recommendations*	*Number of recommendations accepted*	*Percentage of recommendations accepted*
Civil and political rights	131	31.1	18	13.7
Women/gender equality (including to ratify CEDAW)	57	19.58	37	64.91
Social, cultural and economic rights	46	10.9	44	95.7
Promote human rights nationally	44	10.5	32	72.7
Ratify conventions (not including CEDAW)	40	9.5	1	2.5
Religious minorities	26	6.2	3	11.5
Rights of the child	13	3.1	10	76.9
Rights of the disabled	13	3.1	11	84.6
LGBT	12	2.9	0	0.0
Ethnic minority rights	7	1.7	2	28.6
Rights of the elderly	2	0.5	2	100.0
Total	**391**	**100**	**165**	

Abbreviations: CEDAW, Convention on the Elimination of All Forms of Discrimination against Women; LGBT, lesbian, gay, bisexual and transgender.

Note: The majority of recommendations accepted by the Government raised 46 separate issues related to the promotion of social, cultural, and economic rights.

7. The Special Rapporteur notes that a number of recommendations rejected by the Government represent courses of action that would be conducive to both

[4] See website of the Special Rapporteur, at http://shaheedoniran.org.

strengthening protections for civil and political rights and to advancing those recommendations accepted by the Government that would better safeguard the rights of women. This includes all 14 rejected recommendations that urged the Government to ratify the Convention on the Elimination of all Forms of Discrimination against Women, to eliminate barriers to women's equal participation in education and employment or to provide additional legislative protections for women and children against domestic violence.

8. Information provided by civil society, the Government and individuals that alleged violations of their rights or the rights of others during the reporting period illustrate some of the most pressing challenges to ameliorating concerns raised during the universal periodic review in 2014. This includes information gathered from more than 40 interviews during visits to Cologne, Germany, Oslo and Madrid from 13 to 20 May 2015. Information from an additional 30 interviews was collected via Skype between 1 January and 30 June 2015 from individuals located inside and outside the Islamic Republic of Iran. Reports submitted during the reporting period by human rights organizations and defenders located inside and outside the country were also examined, in addition to laws, draft legislations, government statements and reports, and certain details directly transmitted by the Government in response to requests for information.

II. Civil and political rights

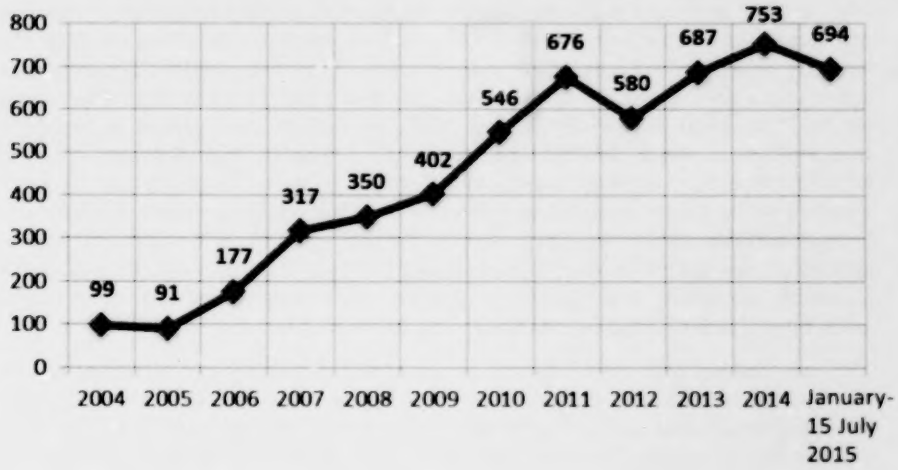
A. Right to life

9. Dozens of recommendations from the outcome of the universal periodic review added to longstanding calls upon the Islamic Republic of Iran to reconsider its use of the death penalty. Member States urged the Government to take urgent steps to, at a minimum, apply capital punishment in line with international standards, including by reserving its application for the "most serious" offences, and by restricting its use to individuals that were over the age of 18 years at the time the offence was committed. The recommendations also called upon the Government to consider abandoning stoning as a form of punishment and urged it to place a moratorium on all executions with a view to its abolition.

10. The Islamic Republic of Iran continues, however, to execute more individuals per capita than any other country in the world. Executions have been rising at an exponential rate since 2005 and peaked in 2014, at a shocking 753 executions. This spate reportedly accelerated at a further staggering rate during the first seven months of this year. At least 694 individuals were reportedly executed by hanging as at 15 September 2015, including at least 10 women and one juvenile. At least 33 executions reportedly took place in public.[5] As shown in figure II, at least 694 executions took place from 1 January to 15 September 2015, likely putting the execution rate during the first half of 2015 at its highest in some 25 years.

[5] See www.amnesty.org/en/latest/news/2015/07/irans-staggering-execution-spree/.

Figure I
Executions in the Islamic Republic of Iran, 2004 to 15 July 2015



11. The authorities denied the occurrence of a majority of executions documented by human rights organizations during the reporting period, and requested specific proof of their occurrence in response to a recent joint statement issued by the Special Procedures mandate holders that denounced the upsurge in executions earlier in 2015.[6] Various human rights organizations have published the identity of the majority of those reportedly executed in 2014 and 2015, along with the names of the detention centres where capital sentences were allegedly implemented.[7] In its comments on the present report, the authorities asserted that the varied nature of the details presented by human rights organizations demonstrate their lack of authenticity.

12. The apparent escalation in executions is seemingly related to the response of the Islamic Republic of Iran to the increasing influx of drugs and rising levels of drug abuse in the country. At least 69 per cent of executions during the first six months of 2015 were reportedly for drug-related offences. The Government holds the view that the implications posed by drug-trafficking to the health and security of the Iranian people render drug-related offences "most serious" crimes and, therefore, they deserve to be considered capital offences.

13. Iranian officials report that at least 255,000 individuals were arrested on suspicion of drug-related offences from March 2011 to March 2012; a 7 per cent increase in the number of these arrests from previous years, and that by some official estimates, at least 70 per cent of the prison population of the country is reportedly incarcerated for drug-related offences. Some Iranian experts on drug abuse and harm reduction report that increased economic pressures resulting from

[6] See http://en.humanrights-iran.ir/news-22714.aspx.
[7] See www.iranhrdc.org/english/publications/human-rights-data/chart-of-executions/1000000564-ihrdc-chart-of-executions-by-the-islamic-republic-of-iran-2015.html.

sanctions may have caused more risky behaviour among some drug users in the country despite access to information on HIV/AIDS and harm-reduction tools.[8]

14. During meetings with the Special Rapporteur in September 2015, Iranian officials asserted that over at least 4,000 and as many as 10,000 individuals die annually as a result of drug abuse in the country. They reported that 12,000 police agents were also injured or killed in the past five years in more than 700 "armed clashes" to combat drug-trafficking. Officials assert that capital punishment functions as a sound deterrent to would-be criminals. They reported that the punishment is only applied to perpetrators guilty of importing exceptionally large quantities of narcotics regarded as serious by the Government, including opium and crystal methamphetamines, and that sufficient judicial safeguards to ensure defendants are not wrongfully convicted are in place and observed. Officials also pointed to statements about its efforts issued by the United Nations Office on Drugs and Crime to demonstrate international support for its approach.[9]

15. An ongoing national discussion on the underlying social and economic causes of drug abuse in the country has raised some contrasting views. Several parliamentarians and judicial officials began examining the merits of the drug policies in addressing the phenomenon in late 2014, emphasizing the need to examine new approaches. Earlier this year, several Iranian lawyers joined these officials in exploring the deterrent effect of capital punishment. Some lawyers asserted that the large number of drug-related arrests and convictions demonstrate that the country's drug laws have been ineffective, but warned that the laws' lack of deterrence "should not be translated into intensifying the punishment". Others added that, "reducing prison sentences will not be effective without eradicating the root causes of drug trafficking".

16. The Secretary-General of the High Council for Human Rights in the Islamic Republic of Iran, Mohammad Javad Larijani, indicated that the use of capital punishment for drug-related crimes was currently under review.[10] In an interview in 2014, he stated, "if we are successful, if the law passes the parliament, almost 80 per cent of the executions will go away."

17. Reports also persist of individuals being sentenced to death for their beliefs. On 1 August 2015, Mohammad Ali Taheri, a well-known author of alternative medical theories and founder of the group, Erfan-e-Halgheh, a self-described arts and culture institute in Tehran, was reportedly sentenced to death on charges of "sowing corruption on Earth". The sentence was issued while Mr. Taheri was already serving a five-year sentence for the crime of "insulting [religious] sanctities" in relation to his peaceful activities.[11] Mr. Taheri was first arrested in 2010 on charges of "acting against national security" and was reportedly held in solitary confinement for 67 days before his release.[12]

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[8] Abbas Deilamizade and Sara Esmizade, "Economic sanctions against Iran, and drug use in Tehran, Iran: a 2013 pilot study", Informa Healthcare USA, 2015.

[9] See www.unodc.org/islamicrepublicofiran/en/news-and-mutilmedia.html.

[10] See www.al-monitor.com/pulse/originals/2014/12/iran-end-death-penalty-drug-cases.html#ixzz3gB03KBUw.

[11] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16294&LangID=E.

[12] See www.iranhumanrights.org/2014/11/mohammad-ali-taheri/.

B. Right against torture and other cruel, inhuman or degrading treatment or punishment

18. Several troubling cases of corporal punishment occurred during the reporting period. In January 2015, a young man identified as "Hamid S." reportedly underwent the surgical removal of his left eye and right ear after a 2005 incident in which he attacked another man with acid, causing the victim to lose an eye and an ear.[13]

19. A man was reportedly also forcibly blinded in March 2015 as a result of *qisas*, or "retribution-in-kind" punishment, for throwing acid on another man in 2009.[14] Official reports also indicate that on 26 June 2015, the authorities carried out two amputation sentences for theft in the Central Prison of Mashhad.[15]

20. According to a semi-official news outlet, more than 480 persons were flogged during the first 15 days of Ramadan for not fasting. The Government maintains that only three individuals were subject to this punishment for their non-observance of the fasting practice.

21. Authorities assert that the aforementioned punishments do not constitute "torture", and that they serve as a deterrent to certain crimes and as an alternative to incarceration. These penalties have long been regarded by the United Nations Human Rights Committee as incompatible with article 7 of the International Covenant on Civil and Political Rights (see A/67/327, para. 7).

C. Right of freedom of expression, association and peaceful assembly

22. Several laws and practices continue to undermine the rights to freedom of expression, association, and peaceful assembly in the Islamic Republic of Iran. Individuals continue to relay reports detailing arbitrary detention for the legitimate exercise for these rights. At least 46 journalists and social media activists were reportedly either in detention or sentenced for their peaceful activities as at April 2015.[16] A small number of these journalists have since been released.[17]

23. Journalists, writers, social media activists and human rights defenders continued to be interrogated and arrested by government agencies — including by the Iranian Revolutionary Guards Corps (IRGC) and cyber-policing units — during the first half of 2015. The judiciary also reportedly continues to impose heavy prison sentences on individuals that peacefully exercise their right to freedom of expression for crimes such as "propaganda against the State", "insulting" political or religious figures, and harming "national security".

24. In May 2015, a revolutionary court sentenced Atena Faraghdani to more than 12 years in prison for "assembly and collusion against national security", "propaganda against the State", and "insulting the Supreme Leader, the President,

[13] See http://iranhr.net/2015/01/man-sentenced-to-lose-of-eye-and-ear-in-iran-doctors-deny-carrying-out-the-sentence/ and http://metro.co.uk/2015/03/06/surgeon-gouges-out-iranian-mans-eye-as-punishment-for-acid-attack-5092033/.

[14] See www.amnesty.org/en/latest/news/2015/03/iran-eye-for-an-eye-acid-retribution/.

[15] See http://iranhr.net/2015/06/iranian-authorities-amputate-hands-of-two-prisoners-in-mashhad-prison-during-ramadan/.

[16] See http://en.rsf.org/iran-islamic-republic-urged-to-free-all-10-04-2015,47775.html.

[17] See http://en.rsf.org/iran-press-freedom-violations-recounted-21-01-2015,47521.html.

Members of the Parliament, and IRGC agents".[18] Evidence used against her allegedly included her activism with the families of former detainees who were reportedly killed while in custody during the post-election protests in 2009, and cartoons she drew that depicted Iranian officials in a satirical manner. On 15 June 2015, her lawyer was reportedly arrested after shaking Ms. Faraghdani's hand during a meeting with her in prison.

25. In its comments on the present report, officials added that Ms. Faraghdani was also charged with "maintaining immoral CDs and insulting law enforcement officers during their interrogation", and that "it should be noted that her various crimes have no connection to healthy and legal social activities". It was also noted that the sentence against Ms. Faraghdani is subject to review and that she has been released on bail. The Special Rapporteur notes, however, that Ms. Faraghdani was in prison during the drafting of the present report.

26. In May 2015, the children's rights activist, Atena Daemi, was sentenced to 14 years in prison. She was tried on charges of "assembly and collusion against national security", "propaganda against the State", "insulting the Supreme Leader and the sacred", and "concealing [criminal] evidence". Evidence presented against her in court apparently included jokes and a protest song saved on her personal phone. Ms. Daemi was also reportedly prosecuted on suspicion that she was withholding the Facebook password of a colleague that she refused to reveal.[19] Ms. Daemi's sentence is subject to appeal.

27. In February, the Tehran Prosecutor, Jafari Dolat Abadi, reportedly announced an extrajudicial media ban on any mention of the former President, Mohammad Khatami. On 16 February 2015, the judiciary's First Deputy confirmed a National Security Council media ban on publishing photos and articles about Mr. Khatami for his alleged role in "leading the sedition" (a term used by some officials to describe the post-2009 election protests). An editor of the judiciary-affiliated *Mizan News* was allegedly expelled after publishing a letter conveying the condolences of the Minister of Justice, Mostafa Pourmohamadi, to Mr. Khatami following the death of his mother. Several officials, including in the Office of the President, have denied that such a ban exists.[20]

28. The reopening of the Association of Iranian Journalists, a 4,000-member labour guild that was shut down in 2009 by the Government, has been reportedly restricted.[21] In its comments on the current report, the Islamic Republic of Iran noted that the current Administration has made efforts to resolve its dispute with the Association and to facilitate its reorganizational resurrection. The Labour Ministry has also reportedly attempted to close the Iranian Freelance Journalists' Association in recent months despite not having a court order to do so.[22] In its comments on the current report, the Government alleges that the Association of Iranian Journalists and the Iranian Freelance Journalists' Association are the same organizations.

29. On 3 May 2015, the Ministry of Telecommunications and Information Technology unveiled a national search engine, "Parsijoo". The key-word search

[18] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16042&LangID=E.

[19] See www.iranhumanrights.org/2015/05/atena-daemi-2/.

[20] President Rouhani's press conference of 13 June 2015.

[21] See https://cpj.org/2015/04/10-most-censored-countries.php.

[22] Information submitted to the Special Rapporteur in May and June 2015.

programme reportedly presents users with ranked lists of the websites sanctioned by the Government, rather than websites ranked by their relevance to users' searches, and/or by their popularity. In May 2015, authorities also announced that access to Facebook would continue to be blocked.[23]

30. The launch of a new messaging service for mobile phones, "Salam", was also announced. The application allegedly represents ongoing efforts to replicate international online applications and services with State-sanctioned technology that will allow the monitoring of user content.[24] In its comments on the current report, the Islamic Republic of Iran rejected allegations that this new messaging service would allow State officials to monitor user communications.

31. At least 233 labour-related protests took place in the Islamic Republic of Iran between March 2014 and March 2015, with at least 230 arrests of protestors. On 16 April and 8 May 2015, thousands of teachers and their supporters gathered in front of government buildings across the country to demand a wage increase and the release of imprisoned teachers.[25] In its comments on the current report, the Islamic Republic of Iran noted that Iranian law recognizes the right of unions to peacefully protest.

32. In April 2015, just prior to the International Labour Day celebrations, five labour rights advocates, Ebrahim Madadi and Davood Razavi, of the Union of Workers of the Tehran and Suburbs Bus Company, and Mamoud Salehi, Osman Ismaili, and Reza Amjadi, were arrested. Mr. Amjadi, the head of the Iran Teachers Organization, was apparently arrested in connection to a previously issued five-year prison sentence for his peaceful activities.[26]

33. Esmail Abdi, a member of the Board of Directors of the teacher's union, was also reportedly arrested in June 2015, possibly to begin serving a prior 10-year sentence. On 28 June 2015, Farzad Moradinia, a member of the Coordinating Council for Labour Unions, was sentenced to two years in prison. The Government denies that these individuals were arrested for peaceful labour rights activities, and maintains that they were arrested for their links to the "Komala terrorist group". It also noted that protests and gatherings require prior approval from government authorities.

34. Saeed Shirzad, a child rights activist, continues to be detained without formal charge or access to legal counsel. He has reportedly refused to attend court sessions without access to a lawyer.[27] The authorities claim that Mr. Shirzad was charged with "gathering and colluding ... against national security" and "disturbing the public peace". Labour rights activists Reza Shahabi, Sharokh Zamani, Rasoul Bodaghi, Mahmoud Bagheri, and Behnam Ebrahimzadeh, and several others remain in prison or continue to serve heavy sentences apparently because of their peaceful activities. In its comments on the present report, the Government noted that these individuals were serving sentences for crimes such as "propaganda against the Islamic Republic of Iran", "disturbing public peace", and acting "against national

[23] See www.iranhumanrights.org/2015/05/new-search-engine/; www.iranhumanrights.org/2015/05/basij-messaging-app-viber/; and www.iranhumanrights.org/2015/05/officials-re-affirm-facebook-blocked/.

[24] See www.iranhumanrights.org/2015/05/basij-messaging-app-viber/.

[25] See www.iranhumanrights.org/2015/05/workers-protest-hamedan/.

[26] See www.iranhumanrights.org/2015/04/international-workers-day/.

[27] Information submitted to the Office of the Special Rapporteur in July 2015.

security". On 13 September 2015, Mr. Zamani died reportedly of a stroke in Rajai Shahr prison.[28]

D. Right to a fair trial

1. Criminal procedure law

35. The Parliament adopted a number of amendments to the new Criminal Procedure Law, which came into effect on 22 June 2015. These amendments appear to have weakened or abrogated some of the positive measures adopted at the outcome of the initial review of the law in 2014.[29] This includes provisions that would have significantly improved access to legal counsel for those accused of criminal offences during the investigative phases of their trials.

36. Amendments would restrict access to lawyers for up to a week in "national security" and in capital cases that carry the death penalty. The Special Rapporteur notes that women's rights and labour rights activists, journalists, religious minorities and lawyers are often charged with national security crimes, including "propaganda against the system". He further notes that individuals reporting violations of their rights while in detention, including torture for the purposes of securing coerced confessions, often assert that these abuses took place during the investigative and pretrial phases of their cases. In its comments on the present report, the Government stated that, "claims of torture in any stages of [the] judicial process are unexpected", and noted that the "use of coerced confessions is strictly prohibited under Iranian law".

37. Additional amendments to the new law now require individuals accused of national security, capital, political or press crimes, and those accused of offences that incur life sentences, to select their counsel from an official pool of lawyers chosen by the Head of the Judiciary. The Guardian Council approved the new amendments on 17 June 2015. On 6 July 2015, the Iranian Bar Association reportedly called upon the Head of Judiciary, the Parliament and President to reconsider the new amendments.

2. Formal Attorneyship Bill

38. The Formal Attorneyship Bill, which envisions significant government influence over the activities of the Iranian Bar Association is currently being considered by the Parliament (see A/HRC/28/70, paras. 22 and 23). Human rights defenders and lawyers continue to challenge provisions that would bring the relatively independent association under greater supervision of government officials, which would "decide who can become a lawyer, how they should be disciplined, and whether or not they should be able to continue their practices". The bill is reportedly in its final phase of approval.[30]

[28] See www.iranhumanrights.org/2015/09/shahrokh-zamani-death/.

[29] See www.amnesty.org/en/documents/mde13/1943/2015/en/.

[30] See www.iranhumanrights.org/2015/07/parliamentary-threaten-legal-profession/.

E. Right to take part in the conduct of public affairs

39. Elections for the Parliament and Assembly of Experts are scheduled for 26 February 2016. Candidates for the Parliament will contest 290 Majilis seats,[31] and candidates for the Assembly of Experts will contest 99 seats. Members of recognized religious minority communities are currently granted only five seats in Parliament by law: Zoroastrians (1), Jews (1) Chaldeans and Assyrians (1) and Armenian Christians (2).

40. The Assembly of Experts is currently comprised of 86 members that are elected for a term of eight years.[32] Members of the Assembly of Experts are mandated to select or dismiss the Supreme Leader.[33] Only individuals that possess *ijtihad* (the capacity to undertake independent reasoning under sharia law) to the degree that they can understand contemporary issues can contest elections for the Assembly of Experts. No non-Muslim or woman has ever been approved to sit on the Assembly of Expert elections.[34]

41. The Guardian Council, a 12-member body responsible for ensuring that laws comply with both Islamic principles and the Constitution, is responsible for "supervising" parliamentary and Assembly of Experts elections.[35] Six members of the Council selected by the Supreme Leader "must be experts on Islamic jurisprudence".[36] The other six members, nominated by the Head of the Judiciary and approved by the Parliament, must be "Islamic jurists" versed in various areas of the law.[37] No non-Muslim or woman has ever been approved to sit on the Guardian Council.

42. Prior to the 2004 parliamentary elections, the Guardian Council vetoed legislation aimed at restricting its power to disqualify candidates. The proposed bill was intended to amend the election law and required the Council to reinstate all disqualified candidates unless their exclusion could be supported by legal documentation.[38]

43. The Council continues to exercise broad powers in deciding which candidates may be on the ballot, and the electorate's choices are apparently restricted to these pre-approved candidates. In its comments on the present report, the Government stated that the qualification processes "provide the possibility for all spectra of people to participate in the parliament, qualification process and examination of candidates' competency, ensures the elimination of candidates with criminal records".

44. The Council disqualifies candidates based on information gathered by several agencies, including the Intelligence Ministry, the judiciary and the police. These agencies reportedly review the records of all candidates to ensure that they satisfy subjective and often-discriminatory criteria set by election laws.[39] This includes

[31] Art. 2 of the Islamic Parliament election law.
[32] Art. 5 of the Assembly of Experts election law.
[33] Arts. 105, 108, 109 and 111 of the Constitution.
[34] Art.2 of the Islamic Parliament election law, and art. 3 of the Assembly of Experts election law.
[35] Art. 99 of the Constitution.
[36] Art. 91 of the Constitution.
[37] Arts. 91 and 157 of the Constitution.
[38] See www.sptimes.com/2004/01/26/Worldandnation/Rebuff_by_hard_liners.shtml.
[39] See www.irrw.org/news/2012/03/01/iran-fair-vote-impossible.

laws governing parliamentary elections, which stipulate that candidates must be "blessed with vision, hearing, and speaking" capabilities.[40]

45. In March 2015, Ali Saberi, a member of Tehran City Council who is blind, referred to the election of two people with disabilities to the Tehran City Council and expressed hope for the removal of barriers for the participation of persons with disabilities for parliamentary elections. In April 2015, the head of the Parliament's Fraction on Protecting the Rights of the Disabled, Fatemeh Alia, stated that a proposal to amend the election law to allow for the participation of disabled persons had yet to receive adequate support.

46. Candidates for Parliament must also, possess a "belief and practical commitment to Islam and the sacred State of the Islamic Republic of Iran", and must express their "commitment to the Constitution and the progressive article of the Guardianship of Islamic Jurist".[40] Members of recognized religious minorities are exempted from a practical commitment to Islam. The law also prohibits individuals that are either affiliated with, or support parties, organizations and groups deemed illegal, from seeking office, including individuals affiliated with illegal human rights organizations. Individuals previously convicted of acting against the Islamic Republic of Iran, those convicted of apostasy, or sentenced to certain sharia punishments are also prohibited from running in these elections.

47. Qualification criteria for elections contravene article 25 of the International Covenant on Civil and Political Rights, necessitating the recognition and protection of citizens' rights to take part in the conduct of public affairs, to vote, to be elected, and to have access to public service without "unreasonable restrictions". Qualification criteria also contravene the Convention on the Rights of Persons with Disabilities, which guarantees, in article 29, section a (ii), the rights of persons with disabilities, "to stand for elections, effectively hold office and perform all public functions at all levels of government". In its comments on the present report, the Government refutes the contention that qualification criteria for elections violate its international legal obligations.

48. Some lawmakers have asserted that the screening process for parliamentary candidates is non-transparent and politicized, restricting their ability to represent their constituencies. In May 2015, a member of Parliament stated that fear of disqualification is a primary reason for the lack of political will among parliamentarians to address the house arrest of 2009 presidential election candidates, Mehdi Karoubi and Mir Hossein Mousavi, and his wife, Zahra Rahnavard, whose arrests were considered arbitrary by the United Nations Working Group on Arbitrary Detention. In its comments on the present report, the Government asserted that, "many controversial and important issues are raised by members of parliament" who "enjoy legal immunity for expressing their opinions and performing their duties".

49. In September 2014, the spokesperson for the Guardian Council, Nejatollah Ebrahimian, maintained that "the record, behaviour, conduct, and manner of individuals in their personal and social life could sometimes cause us to comment on the issue of their commitment to sharia and the Constitution and other qualifications", and that "individuals considered to be seditionists" would not meet qualifications for office under the law. Mr. Ebrahimian later maintained that

[40] Art. 28 of the Islamic Parliament election law.

candidates are only required to complete the appropriate applications required for the registration process in January 2015.

1. Law restricting freedom of expression during elections

50. Publishing information against qualified candidates is prohibited in the Islamic Republic of Iran. Individuals that publish "libellous" or "insulting" statements against a qualified candidate will be prosecuted under the Islamic Penal Code.[41] Candidates and their supporters are not allowed to criticize other candidates, but only allowed to discuss their own qualification or the competencies of their favoured candidates.[42]

51. Disrupting the elections, including by protest,[43] and publishing content with the intent of encouraging boycotts or reducing voter participation is prohibited.[44] The publication and propagation of "anti-revolutionary and enemy group views",[45] of libel or satire, or any insulting content against the elections on the Internet is against the law.[46] The use of images of females as a "tool" in campaign ads and/or the depiction of women in campaign advertisements that do not observe Islamic values under the law is also strictly prohibited.[47]

2. Bill on the formation and activities of political parties and groups

52. In April 2015, the Parliament reportedly resumed its review of a bill that reportedly prohibits a range of individuals from establishing a political party, and/or from becoming a member of one. This includes hundreds of lawyers, journalists, and human rights activists that appear to have been prosecuted for legitimate exercise of the aforementioned rights (see A/HRC/28/70, paras. 41-45).

53. The bill will also require individuals to apply for permits to form political parties and to conduct party activities. Applicants must explicitly state adherence to the Constitution and the principle of the Guardianship of the Islamic jurist. In its comment on the bill in June 2015, the Guardian Council stated that the worldview, intellectual and ideological foundations of political parties should not contravene Islamic principles. The Council also declared that restrictions in the bill that prevent active members of legally dissolved parties from joining other political parties are unconstitutional.

54. In 2011, the United Nations Human Rights Committee expressed concern over the dissolution by court order of two pro-reform political parties, the Islamic Iran Participation Front (also known as *hezb-e mosharekat*) and the Mojahedin of the Islamic Revolution (see CCPR/C/IRN/CO/3, para. 29). The legal status of the two political parties remains somewhat unclear today. In its comments on the present report, the Government maintains that authorities dissolved the parties in part because their leaders and members were involved in the 2009 post-election protests. The Government also notes that in both cases decisions by the authorities to

[41] Islamic Parliament election law, art. 64.
[42] Ibid., art. 65.
[43] Ibid., art. 66.
[44] Working Group on Determining Instances of Criminal Content, art. 21 of the 2009 Computer Crimes Law, sect. H, 1.
[45] Ibid., sect. H, 3.
[46] Ibid., sect. H, 4.
[47] Ibid., sect. H, 10.

dissolve the parties are final, and that the cases have "been examined by a competent court".

3. Female participation in elections

55. The Islamic Republic of Iran ranked 135 of the 142 countries assessed by the World Economic Forum for women's political empowerment in 2014.[48] Although the number of women elected in city and village councils increased from 1,491 in 2006 to 6,092 in 2013, a gradual decline in the number of female candidates contesting parliamentary elections over the past decade can be observed. In 2003, 823 female candidates registered to contest the elections, 585 registered in 2007 and 249 registered in 2013. Women now only occupy 3 per cent of the seats in the parliament and 3.4 per cent in city and village councils across the country.[49]

56. In its comments on the present report, the Government noted that "there is no limit for women to participate in elections whether as voters or as candidates", and that the administration of President Rouhani had undertaken several policy proposals to increase the participation of women in the public sector. The Special Rapporteur welcomes the Government's consideration of programmes to encourage female participation in elections.

III. Women's rights

A. Participation in the economy

57. The Islamic Republic of Iran fully or partially accepted 37 of the 57 recommendations related to women's rights at the outcome of its 2014 universal periodic review. The recommendations that urged the Government to reconsider the provisions in the Islamic Penal Code that discriminate against women, and to criminalize domestic violence, including marital rape, were rejected.

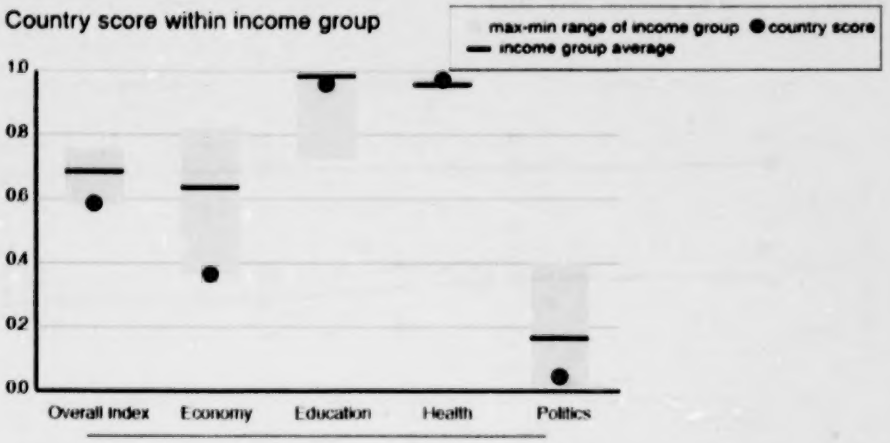
58. Gender-based discrimination in matters of civil, political, social and economic rights continue to overshadow the remarkable advances the Islamic Republic of Iran has achieved in women's education and health. The country also remains in the bottom fifth percentile of 142 countries in overall equality for women.[48]

59. In a table produced by the World Economic Forum, women in the Islamic Republic of Iran rank at the bottom of countries within its own income group in both economic participation and political empowerment. In its comments on the present report, the Government noted that gender-based quotas in education should not be seen as restrictions, and that such quotas also exist for male students. It also noted that the rate of economic participation for women has increased in recent years, and the Government of President Rouhani has proposed policies to further empower women economically.

[48] See World Economic Forum, *The Global Gender Gap Report 2014*, available from http://reports.weforum.org/global-gender-gap-report-2014/.

[49] "20 *20: women's achievement in the Islamic Republic of Iran", prepared by the Vice-Presidency for Women and Family Affairs.

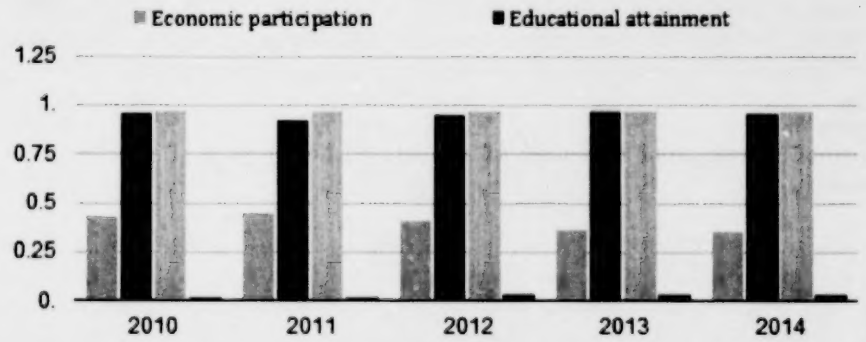
Figure II



Source: World Economic Forum, *The Gender Gap Report 2014*.

Figure III

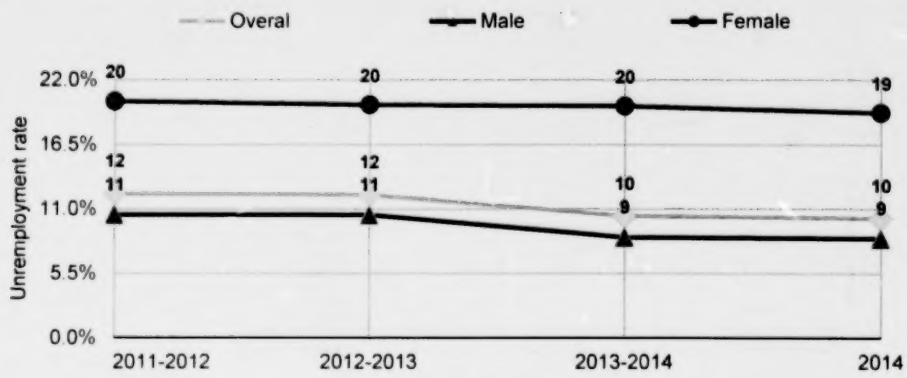
Economic participation and educational attainment, 2010-2014



Note: Gender-based restrictions in post-secondary education persist, economic participation has seen relatively no improvement and political empowerment has remained extremely low.

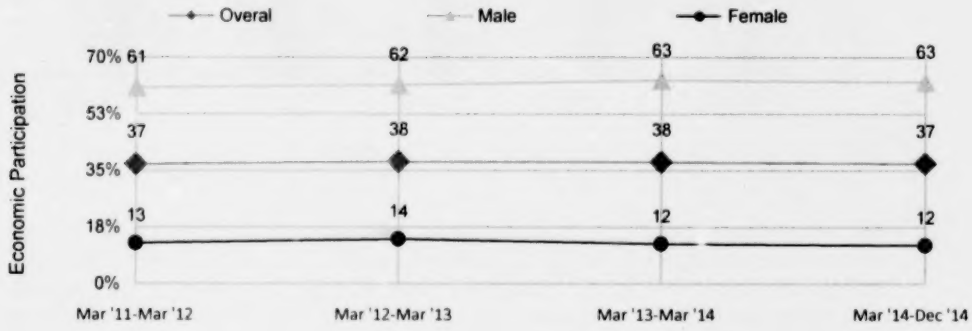
60. Significant disparities in participation between men and women in the job market also persist. On 11 April 2015, the Minister of Labour, Ali Rabiee, noted that female unemployment in the Islamic Republic of Iran was twice as high as male unemployment and that women had migrated to seasonal and service-sector employment. In its comments on the current report, the Government noted that the high unemployment figures for women were reflective of broader global trends, the impact of sanctions, and religious, social and cultural attitudes in the country.

Figure IV
Unemployment by gender, 2011-2014
(Percentage)



61. On 11 April 2015, the Vice-President for Women and Family Affairs, Shahindokht Mowlaverdi, highlighted gender discrimination in the 2015 comprehensive hiring exam for public sector employment in the Islamic Republic of Iran. Candidates taking the exam, according to her, competed for 2,416 positions offered by the various government agencies, including the Economic Affairs Ministry, the Court of Administrative Justice. Ms. Mowlaverdi announced that 2,400 were reserved for men and only 16 positions were earmarked for women.

Figure V
Economic participation by gender, March 2011-December 2014
(Percentage)



B. "Plan to protect promoters of virtue and preventers of vice"

62. A "Plan to protect promoters of virtue and preventers of vice" was adopted by the Parliament on 22 April 2015, after the Guardian Council rejected two previous drafts. The law, which was first introduced by the Parliament on 22 June 2014, encourages Iranian citizens to enforce laws that prohibit acts considered to be vices under Islamic sharia law (art. 1). This includes strict enforcement of *hijab* (female dress) for all Iranian women.

63. Human rights defenders in the country joined the administration of President Rouhani in raising concern about the passage of the bill, asserting that the bill empowers "unofficial and unaccountable forces" and could possibly undermine human rights in the country.[50] On 19 October 2014, the Interior Minister announced that it had transmitted a letter to the Parliament requesting that the bill be reconsidered in parliamentary commissions before its introduction to the floor. The Vice-President of Parliamentary Affairs, Majid Ansari, also criticized the bill for establishing an office that would not operate under the supervision of the Government. In its comments on the present report, the Government noted that the principle of promoting virtue and preventing vice was codified under article 8 of the Iranian Constitution, and that training volunteers to work "alongside ... official forces" would allow the authorities to enforce their "legal duties more expeditiously".

C. Equal access to public venues: sport stadiums

64. On 1 June 2015, the Vice-President for Women and Family Affairs, Ms. Mowlaverdi, announced that the administration of President Rouhani had signed an order to allow women to enter volleyball stadiums to watch the men's national team compete during the 2015 World League in Tehran. The Interior Minister, Abdolreza Rahmani Fazli, maintained, however, that "no new decisions have been made about women's presence in sports stadiums. Following the announcement, handwritten leaflets were reportedly distributed by a group called "Ansar-e Hezbollah", asking people to gather in front of stadiums to resist the "obscenity of immodest women" and to "prevent sport authorities from allowing vice". The administration has maintained that such demonstrations are illegal and called on the judiciary and relevant authorities to act.[51] Women were subsequently prevented from attending the national team World League matches on 19 and 21 June 2015 in the Azadi Stadium in Tehran. In its comments on the present report, the Government cited a United Nations study which allegedly provides statistics showing that "sports stadiums are risky places where violence against women is very likely to happen".

D. "The plan to reduce the working hours of women with special conditions"

65. Opponents of draft legislation under consideration by the Parliament intended to have an impact on the working hours of women may create unintentional barriers to their participation in the workforce. The bill would reduce the working hours of women from 44 hours to 36 hours a week without reducing their total salaries. The bill would primarily affect women from female-headed households, those with children under the age of seven years, and women with children or spouses with disabilities or incurable and chronic diseases.

66. On 15 July 2014, the Vice-President for Women and Family Affairs, Ms. Mowlaverdi, announced that an attempt by her office to introduce draft language for men in similar situations was rejected by the Parliament. Opponents of

[50] See www.iranhumanrights.org/2015/05/lawyer-plan-to-promote-virtue/.

[51] Statement by the spokesperson for the administration, Mr. Nobakht, on 8 June 2015.

the bill warn that without offering tax exemption incentives for employers, the bill would threaten women's job security.[52] The Special Rapporteur notes that in the absence of anti-discrimination laws affecting the hiring process, the seemingly generous incentives in this draft bill may further discourage employers from hiring women who would work less for equal pay. He also expresses concern that the bill would contribute to the already high unemployment rate for women in the Islamic Republic of Iran, and in particular to the unemployment rate of female-headed households, which has reportedly increased to 82 per cent.

E. Violence against women

67. The Special Rapporteur has noted several initial advancements to prevent certain forms of violence against women and to support the victims of domestic violence. In February 2015, the Social Deputy of the State Welfare Organization announced the establishment of 18 safe houses across the country to provide services to vulnerable women. On 22 June 2015, the Vice-President for Women and Family Affairs announced that a draft bill aimed at increasing penalties for perpetrators of acid attacks was submitted to the administration. Despite these developments, the civil code continues to require women seeking a divorce because of domestic violence to prove that the abuse they endured was of an intolerable nature (*osr va haraj*). In its comments on the present report, the Government noted that the principle of *osr va haraj*, or "distress and constriction", does not mean that women need to establish that they were subjected to "serious violence".

68. Iranian law criminalizes the mutilation of female genital organs and provides some degree of protection to women, but these provisions do not appear to be effectively enforced. Female genital mutilation is reportedly practiced in certain parts of the country, and appears to predominantly affect girls under the age of 10 years.[53] Although there are no official statistics on the scale of this practice, it is reportedly prevalent in the provinces of Hormozgan, Kermanshah, Kurdistan and Western Azerbaijan.[54] According to a report released in 2015, 60 per cent of women in the southern province of Hormozgan and its nearby islands have reportedly undergone the procedure. In Western Azerbaijan, Kurdistan and Kermanshah provinces, approximately 18 per cent of women are reportedly circumcised.[55] In its comments on the present report, the Government discussed its efforts to work with civil society actors to raise awareness, but questioned the validity of the information presented in the report. No supplemental or contradictory details were provided.

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[52] Interview with the adviser to the Minister of Labour, Moslem Khani.

[53] Südwind, "Violations of girl's rights, child marriage and FGM in Iran", 2014, available from www.stopfgmmideast.org/wp-content/uploads/2014/07/Iran-FGM-Child-Marriage-2014.pdf.

[54] Austrian Red Cross, Austrian Centre for Country of Origin and Asylum Research and Documentation (Accord), Iran COI Compilation, September 2013, available from www.refworld.org/pdfid/522ec5aa4.pdf; see also *Women's Health Care*, "Related factors of female genital mutilation in Ravansar (Iran)", 2012, available from www.omicsgroup.org/journals/2167-0420/2167-0420-1-108.pdf.

[55] Ahmady Kameel, *A Comprehensive Study on Female Genital Mutilation/Cutting in Iran*, 2015; see also Stop FGM Middle East, "Iran's country profile", available from http://www.stopfgmmideast.org/countries/iran/.

F. Prosecution of activists

69. On 16 June 2015, Minoo Mortazi Langeroudi, a women's rights activist and member of the Council of Melli Mazhabi Activists, was sentenced by Branch 15 of Tehran's Revolutionary Court to six years in prison on charges of "propaganda against the State" and "assembly and collusion to disrupt national security", in connection with her efforts to establish the group. The Melli Mazhabi Activists represent a number of political activists, writers and intellectual figures. Revolutionary courts have sentenced members of this coalition to prison for their affiliation with this group in recent years. In its comments on the present report, the Government noted that her case is subject to appeal.

70. On 5 May 2015, the former Vice-President of the Defenders of Human Rights Centre, and one of the founders of the death penalty abolitionist group "Step by Step to Stop the Death Penalty", Narges Mohammadi, was arrested by security forces and transferred to Evin prison to serve the remainder of a six-year prison sentence handed down in 2012. Ms. Mohammadi was prosecuted in 2012 for "assembly and collusion to disrupt national security", "membership in the Defenders of Human Rights Centre" and "propaganda against the State".[56]

71. Ms. Mohammadi was released from prison for medical reasons in April 2013. She was reportedly charged with several new offences on 3 May 2015, including "propaganda against the State", "assembly and collusion against national security", and "establishing the anti-security and illegal 'Step by Step to Stop Death Penalty' group".[57] In its comments on the present report, the Government rejected allegations that the judiciary has brought new charges against Ms. Mohammadi, and maintains that she is serving prison time based on her previous six-year sentence.

IV. Ethnic minorities

A. Right to education in mother tongue languages

72. In its review of the Islamic Republic of Iran in 2013 (E/C.12/IRN/CO/2), the Committee on Economic, Social and Cultural Rights expressed concern about severe restrictions on education in the mother tongue languages of ethnic minorities. The Committee also expressed concern that ethnic minorities "do not fully enjoy their right to take part in cultural life, including as a consequence of closures of publications and newspapers in minority languages" (ibid., para. 30). In its comments on the present report, the Government maintained "there are no restrictions or obstacles" allowing ethnic minorities to teach in their mother language.

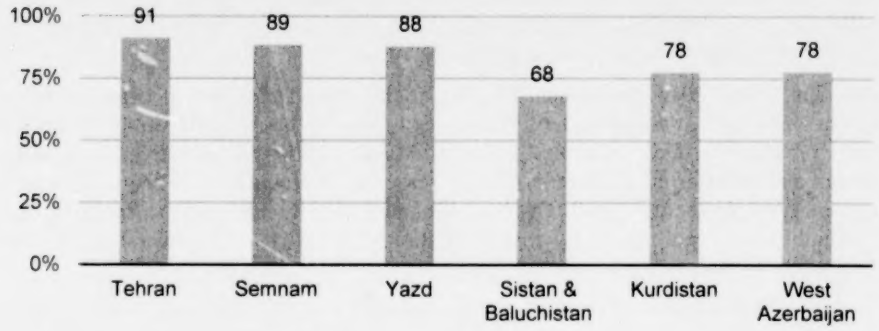
73. Researchers have reported on the poor academic performance and retention rates of bilingual students whose mother language is not Persian in the Islamic Republic of Iran. In December 2011, the Islamic Parliament Research Centre published a 71-page report entitled "A review of education coverage and eliminating illiteracy in the country". The report indicated that areas with largely Persian populations, such as Tehran, Semnan and Yazd, had the highest literacy rates, but

[56] See www.iranhumanrights.org/2015/05/narges-mohammadi-5/.

[57] See www.iranhumanrights.org/2015/05/narges-mohammad-arrested-at-home/.

areas largely populated with ethnic minorities had the lowest literacy rates, including Sistan and Baluchistan, Kurdistan, West Azerbaijan, and Northern Khorasan provinces. More than half of the illiterate population is 50 years of age or older.

Figure VI
Literacy rates in different areas of the Islamic Republic of Iran
(Percentage)



74. The report attributes poverty, discrimination, early marriage among girls and a lack of mandatory primary education in areas dominated by ethnic minority populations to higher illiteracy rates. The report maintains that greater cooperation among various ministries and branches of government, and the enforcement of mandatory programmes for schoolchildren, as detailed by the country's Fourth Development Plan, could be effective in eliminating illiteracy in these areas. In its comments on the present report, the Government disputed the validity of the literacy data and noted that the high rates of illiteracy among older Iranians is reflective of the "policies of the previous regime[s]".

75. In December 2013, the Ministry of Education published its report on the Rouhani administration's first 100 days in office. The report noted a shortage of 24,000 primary school teachers and indicated that educational services for bilingual students under the age of five years were either reduced or terminated "despite its importance in deprived ... areas", in reducing the barriers to education preparedness for ethnic minority students. In its comments on the present report, the Government noted "the allocation of new budgets and employment of qualified persons" to address the education disparities had been undertaken. The Special Rapporteur invites the Government to provide further information on the steps taken.

76. Rights activists in the Islamic Republic of Iran also continue to advocate for the right to use their own language, particularly in education. In June 2014, Kurdish activists reportedly collected a petition with more than 10,000 signatures from Iranian Kurdish citizens calling upon President Rouhani to advance campaign pledges related to education in mother languages.

77. An official Kurdish language lesson book for use in middle schools was launched in February 2015. Copies of the book are reportedly available to download for free on middle school websites in Kurdistan province. The Islamic Azad University in Sanandaj, Kurdistan province, has also reportedly allocated two credits for teaching Kurdish language courses, and Kurdistan University will

reportedly start accepting students for a bachelor's degree in Kurdish language and literature studies starting October 2015.

78. In his report of March 2013 (A/HRC/22/56), the Special Rapporteur reported on the systematic rejection of applications for Balochi-language publications. In February 2015, the Press Supervisory Board reportedly rejected the license application for three bilingual Balochi-Persian publications.[58] The cultural activist, retired teacher and former head of the Zehdan city council, Parviz Bahadorzehi, was also reportedly denied a license to run a bilingual periodical.[58] In its comments on the present report, the Government confirmed that Mr. Bahadorzehi was denied a publication license, but said that he had applied for a new license that was currently under consideration.

B. Freedom of expression, association and peaceful assembly

79. In March 2015, more than 1,800 ethnic Azerbaijani students reportedly signed a petition calling upon President Rouhani to enforce constitutional articles that promulgate guarantees against discrimination. Security officers allegedly arrested Atabak Sepehri, a member of the campaign, for collecting the signatures, and university officials reportedly confiscated the petitions. The signatories of the letter called for cooperation among various branches of government and relevant organizations to develop initiatives for the realization of ethnic rights. In its comments on the present report, the Government maintained that the authorities had arrested Mr. Sepehri because he "committed propaganda to incite extremist hatred", but that he was later released and the charges were dropped.

80. Ethnic minorities were reportedly arrested in connection with protests in the majority-Arab Khouzestan province following the self-immolation of a fruit vendor, Younes Asakereh, in March 2015. Mr. Asakereh reportedly committed the act in objection to the authorities' decision to remove and destroy his fruit stand, and was reportedly denied adequate emergency medical treatment for fatal injuries. The Asakereh family was also reportedly denied access to his body, and officials allegedly detained his father and brother before Mr. Asakereh's burial services. In its comments on the present report, the Government wrote that the authorities had investigated the circumstances surrounding the death of Mr. Asakereh and had concluded that officials were not at fault. They also noted that Mr. Asakereh had "received adequate medical treatment".

81. In April 2015, Ahmad Hazbawi, an Arab from Ahwaz, was allegedly arrested in connection with the publication of a video that appears to show him singing a song in Arabic that praises Saudi Arabia's military action in Yemen, to a jubilant audience at a wedding ceremony in the village of Qalaat Chanan near Ahwaz. His wife was also reportedly detained for several hours after approaching the Ministry of Intelligence to seek information.[59] Authorities reportedly allowed Mr. Hazbawi weekly visitation rights after his arrest.[60] In its comments on the present report, the Government noted that the authorities had charged Mr. Hazbawi with "inciting to violence and supporting war in the region and encouraging ... ethnic conflicts". The

[58] See https://hra-news.org/fa/ethnic-minorities/b-526.
[59] See http://www.hrw.org/news/2015/04/29/iran-sweeping-arrests-ahwazi-arab-activists.
[60] Information submitted to the Office of the Special Rapporteur in June 2015.

Government also alleges that Mr. Hazbawi was only fined for his actions and that he is currently out of prison.

82. On 7 May 2015, people in Mahabad, a Kurdish populated city in West Azerbaijan province, protested following the death of Farinaz Khosravani, a Kurdish woman who reportedly "fell to her death" from the hotel's fourth floor. The protests reportedly took place in response to reports that an official had threatened to rape Ms. Khosravani, which was disputed by a provincial official, with the aim of calling upon the authorities to immediately launch an investigation into the suspicious circumstances surrounding her death.[61]

83. Authorities reportedly confirmed injuries to 25 individuals, including seven police officers, resulting from clashes that reportedly broke out following initially largely peaceful protests.[62] Some Kurdish rights activists maintained that violence erupted, including the throwing of rocks and looting of the hotel, after the authorities attempted to disburse protestors and arrest vocal participants. The authorities reportedly used "batons, tear gas and possibly live ammunition to disperse the crowd". Several of the injured reportedly resisted treatment owing to fear of arrest.[62] Akam Talaj reportedly died on 29 June 2015 as a result of gunshot wounds.[63]

84. The office of the Intelligence Ministry in Mahabad allegedly summoned Ms. Khosravani's parents and warned them against conducting interviews.[64] In its comments on the present report, the Government maintained that the police had arrested 62 persons because they engaged in violent protests; the majority of the arrested persons were later released on bail. The authorities also noted that 14 demonstrators and 53 police officers were injured as a result of the protests, and that there was "no doubt ... that [Mr. Talaj] was shot by gangsters and elements of the riots".

V. Religious minorities

85. The Government accepted 10 of 20 recommendations at the outcome of the 2010 universal periodic review related to its treatment of religious minorities, most of which apparently remain unimplemented. The Government accepted an additional 8 of 36 recommendations related to religious freedom during the universal periodic review in March 2015 (see A/HRC/28/12/Add.1).

86. The Iranian Constitution officially recognizes Islamic schools of jurisprudence other than Shi'ism, and recognizes Zoroastrianism, Judaism, and Christianity as minority religions. Under the law, adherents of these religions are free to perform their religious rites and ceremonies, to conduct personal affairs and address religious education, in accordance with the tenets of their faith. However, reports indicate that members of these faiths, including Christian minorities from Muslim

[61] Interview submitted to the Office of the Special Rapporteur in May 2015; and www.amnesty.org/en/articles/news/2015/05/iran-police-must-exercise-restraint-amid-kurdish-protests/.

[62] https://www.amnesty.org/en/articles/news/2015/05/iran-police-must-exercise-restraint-amid-kurdish-protests/.

[63] Interview submitted to the Office of the Special Rapporteur in May 2015; and http://kurdistanhumanrights.org/latest-on-kurdish-protests-governments-heavy-handed-crackdown-on-protesters/.

[64] Interview submitted to the Office of the Special Rapporteur in May 2015.

backgrounds in particular, continue to face severe restrictions. Adherents of unrecognized religions, such as the Baha'i faith, face severe restrictions and discrimination and are reportedly prosecuted for peacefully manifesting their religious beliefs.

A. Situation of Baha'is

87. At least 74 members of the Baha'i community were detained as at June 2015 following the release of a number of individuals who had reportedly completed their sentences. Ramin Zibaie, Farhad Sedghi, Noushin Khadem and Mahmoud Badavam, who were prosecuted in 2011 for their association with the Baha'i Institute for Higher Education (BIHE),[65] were released after serving their four-year prison sentences in May 2015.[66]

88. Seventeen members of the Baha'i community sentenced to four or five years of imprisonment on charges of "membership of the deviant Baha'i sect with the goal of taking actions against the security of the country" and "collaboration with the BIHE" remain imprisoned.[66] In its comments on the present report, the Government noted that BIHE was "established illegally" and that BIHE was operating "under the guise of educational activities [but] was [furthering the] political and economic goals of an outlawed cult".

89. The authorities allegedly continue to summon, interrogate and arrest Baha'is, and close down businesses belonging to adherents of that faith. The Special Rapporteur also continues to receive reports about the destruction of the cultural sites and of the property of Baha'i community members. This apparently includes the demolition on 22 April of a home owned by imprisoned Baha'i community leader, Jamaloddin Khanjani. Officials reportedly made repeated allegations regarding the property's deed and construction since Mr. Khanjani's arrest, threatening the family with demolition of their ancestral home and restrictions on their agricultural lands. It was reported that the family had received a 48-hour demolition notice from the Intelligence Ministry but that the family had secured orders from a Tehran court to halt the demolition. Despite this, authorities apparently razed the property.[67] In its comments on the present report, the Government maintained that measures "[against] Mr. Khanjani] had absolutely nothing to do with [the] owner's personal beliefs", but instead, resulted from a lack of proper permits for construction.

B. Situation of Christians

90. Christians reportedly continue to be prosecuted for their involvement in informal house churches. On 1 March 2015, Pastor Victor Ben-Tamarz, the former head of the Shahrara Assyrian Pentecostal Church in Tehran who was arrested in December 2014 while performing a Christmas service at his house, was released on bail until his trial. On 15 April 2015, the Shahin Shahr Revolutionary Court upheld the one-year prison sentence and two-year travel ban of 13 Christian converts who

[65] BIHE was an informal initiative that was launched to provide university-level studies to Baha'i youth deprived of the right to higher education in the Islamic Republic of Iran.

[66] See http://news.bahai.org/story/1052.

[67] See www.iranhumanrights.org/2015/04/police-demolish-imprisoned-bahai-home/.

were arrested on 2 February 2013 at a house church and were charged with "propaganda against the State", "advocating for Evangelical Christianity" and "establishing house churches".[68] In its comments on the present report, the Government maintained that "there is no need to establish new churches" because the current ones meet the religious needs of religious minorities", and noted that the activities of "house churches are considered illegal".

C. Nematollahi Gonabadi (Sufi Dervish) community

91. According to rights groups, the authorities allegedly closed down the Reza Nursing Home, a private intermediate care facility that belonged to Ali Akbar Bonakdari, a member of the Nematollahi Gonabadi (Sufi Dervish) community, in connection with his religious beliefs. On 7 June 2015, Branch 101 of the Golpaygan Criminal Court sentenced Abbas Salehian, another member of the Nematollahi Gonabadi Dervish community, to 74 lashes for "committing a *haram* act through advocating Gonadi Dervish beliefs". In its comments on the present report, the Government rejected the notion that the Reza Nursing Home was shut down because of the beliefs attributed to its owner, and alleged instead that the closure was related to a lack of proper licenses to run the centre. The Government also said that the flogging sentence against Mr. Salehian had not yet been carried out. The Special Rapporteur calls upon the Government to remove the flogging sentence of Mr. Salehian.

VI. Conclusions and recommendations

92. **The Special Rapporteur is alarmed by the rate of executions reportedly taking place in the Islamic Republic of Iran. He recognizes the severe conditions facing the Islamic Republic of Iran and other countries in the region that also serve as major transshipment points for narcotics smugglers, and acknowledges the significant costs to security, health and development engendered by these circumstances.**

93. **However, the safeguards guaranteeing protection of the rights of those facing execution, approved by the Economic and Social Council in its resolution 1984/50, limit the scope of the death penalty to "intentional crimes with lethal or other extremely grave consequences", and the international human rights mechanisms have narrowed this interpretation of "most serious crimes" to mean those "cases where it can be shown that there was an intention to kill, which resulted in the loss of life".**

94. **The Special Rapporteur urges the authorities to consider examining the merits of views shared about the root causes of drug abuse and crime in the Islamic Republic of Iran, along with proposals that urge it to re-examine the deterrent effects and human rights implications of the country's drug policies, given the ongoing influx of narcotics, rising abuse in the country and the brutalizing effect that the use of capital punishment has had on respect and protections for the right to life in the country.**

[68] See http://articleeighteen.com/fa/news/13-christians-sentenced-to-prison-isfahan/.

95. **The Special Rapporteur appeals to the authorities to place a moratorium on the use of executions for all crimes not considered "most serious" under international law, and to consider working with international and national stakeholders to amend its laws in line with the international human rights conventions to which the Islamic Republic of Iran is a party. Such an initiative would likely have a significant impact on the use of the death penalty in the country.**

96. **The Special Rapporteur also remains concerned about ongoing activities that constitute derogation from international human rights obligations to respect freedom of expression, association, peaceful assembly and access to information. Restrictions on freedom of expression are a serious abrogation of human rights and are incompatible with the Government's obligations under the International Covenant on Civil and Political Rights. The Special Rapporteur urges the authorities to ensure that persons are protected from acts that impair the free communication of information and ideas about public and political issues between citizens, candidates and elected representatives, which is essential to the protection of other rights.**

97. **The United Nations Human Rights Committee asserted that "persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as education, residence or descent, or by reason of political affiliation".[69] The Special Rapporteur remains concerned that existing laws and draft legislation, appear to unreasonably exclude individuals from standing for public office on the basis of gender, religion, political affiliation, opinion and social or personal background. The Special Rapporteur encourages the authorities to reconsider statutes that place unreasonable conditions on the exercise by all Iranian citizens of rights protected by article 25 of the Covenant.**

98. **The Special Rapporteur welcomes recent efforts to address both violence against women and inequities in education and economic participation. He encourages the Government to amend laws that continue to undermine women's full enjoyment of civil political, social, and economic rights, including rights in family law, the right to equal access to education and the right to work. Draft legislation currently under consideration that appears to infringe on these rights raises serious concern, and should be reconsidered.**

99. **Restrictions on the rights of religious minorities in the Islamic Republic of Iran remain deeply concerning. Adherents of recognized and unrecognized religions continue to report arrests and prosecution for worship and participation in religious community affairs, including in private. Measures that exclude religious minorities from legal protections for civil, political, social or economic rights, or that impose special restrictions on the practices or manifestations of religious beliefs continue to violate the obligations of the Islamic Republic of Iran under the Covenant and should be addressed.**

100. **The Special Rapporteur continues to be disturbed by reports from members of ethnic minority communities regarding arbitrary arrests, detentions, and prosecution for protected activities that promote social, economic, cultural and linguistic rights. Interviewees continue to report that**

[69] General comment No. 25, para. 15 (see CCPR/C/21/Rev.1/Add.7).

they were mistreated during their arrests, tortured during interrogations, and subject to unfair trial standards. The Special Rapporteur urges the authorities to recognize that dialogue and inclusive participation of all the citizens in a diverse society can form the basis of enduring initiatives that address poverty and development, and can also serve to strengthen protections for the rights of all ethnic minorities in the country. He further encourages the authorities to ensure that the rights of the members of the country's most vulnerable communities are protected and respected.

101. **The Special Rapporteur remains concerned over the administration of justice in the country. The Special Rapporteur is particularly concerned about the recent amendments to the already approved Criminal Procedure Code of 2014, which appear to restrict detainees' access to the attorney of their choice during the investigation phase of their case. The Special Rapporteur encourages officials to reconsider amendments that would undermine the initially positive efforts to facilitate access of detained suspects to legal counsel during the investigation phase of their cases.**

102. **The Special Rapporteur continues to encourage the Government to increase its engagement with the United Nations human rights mechanisms, including his mandate, in order to establish meaningful dialogue and cooperation in furtherance of the pledges undertaken by President Rouhani's administration, and for the successful advancement of recommendations made in the universal periodic review that enjoyed the support of the Government in 2015.**

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Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Situation of human rights in Myanmar

Note by the Secretary-General*

Summary

The Secretary-General has the honour to present to the members of the General Assembly the report on the situation of human rights in Myanmar submitted by the Special Rapporteur on the situation of human rights in Myanmar, Yanghee Lee, in accordance with General Assembly resolution 69/248. The present report provides an overview of the main human rights developments in Myanmar since the Special Rapporteur's report to the Human Rights Council in March 2015. It sets out key issues and priorities that need to be addressed to further the reforms in the area of human rights prior to the November elections and beyond.

* Late submission due to country mission to Myanmar from 2 to 7 August 2015.

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Report of the Special Rapporteur on the situation of human rights in Myanmar

I. Introduction

1. The present report, submitted pursuant to Human Rights Council resolution 28/23 and General Assembly resolution 69/248, covers developments in Myanmar since the Special Rapporteur's report to the Council in March 2015 (see A/HRC/28/72).

2. The Special Rapporteur conducted her third mission to Myanmar from 2 to 7 August 2015. Myanmar was dealing with the devastating impact of the floods and subsequent landslides, which resulted in over 110 deaths, severely affected 1.6 million people, and displaced more than 380,000 households. She again conveys her deepest sympathies to all those affected. She continues to be inspired by the solidarity and courage of the Myanmar people and the public's efforts to mobilize, volunteer and provide assistance. She welcomes the Government's response to this crisis and renews her call to the international community to provide assistance to all those in need, particularly as communities rebuild their lives.

3. The Special Rapporteur thanks the Government for its invitation and cooperation with her mandate. She regrets that the Government did not grant a 10-day visit as on previous occasions and that some requested meetings and visits were not granted, suddenly changed or cancelled at the last minute without prior notice. Nevertheless, she remains committed to constructive engagement and cooperation and looks forward to renewing dialogue with government interlocutors on future visits.[1]

4. The Special Rapporteur received information that some individuals with whom she met were photographed by security officials and that interlocutors from previous visits were monitored, photographed and later questioned by security personnel. She reminds the Government of its obligation to ensure the safety of all those who engage with her mandate and to guarantee that they will not be subjected to any form of reprisals, including threats, harassment, punishment or judicial proceedings as required by Council resolutions 24/24 and 12/2 and in the terms of reference for country visits by Special Procedures of the Council. She has been assured by the Minister of Home Affairs that no reprisals will occur in relation to this or future visits.

II. Human rights situation

A. Election

5. The upcoming elections on 8 November will be an important milestone in Myanmar's democratic transition and an opportunity to consolidate and further the reforms. The Special Rapporteur welcomes the repeated assurances made by President Thein Sein, the Chair of the Union Election Commission and other officials that the elections will be free and fair and held in line with international

[1] See "End of Mission Statement" and annex for list of meetings, available from: www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16309&LangID=E.

standards. She also notes the statements of the Commander-in-Chief that the military will accept the outcomes of the elections if they are free and fair.

6. The environment and preparations for the elections, as well as their actual conduct, are equally important in determining whether they are transparent, inclusive, participatory, free and fair. The period after the elections, prior to the election of a new President, will also be crucial. The Special Rapporteur notes the Union Election Commission's invitation to international and national organizations to observe the elections and its engagement with civil society. Such measures can enhance transparency and build public confidence in the elections.

7. The Special Rapporteur welcomes measures taken to address some shortcomings of the 2010 elections, including the reduction of candidate registration fees, the establishment of mechanisms for resolving post-election complaints and the reduction of complaint filing fees. It will be vital for the new election dispute mechanism to work transparently and for the procedures and timelines for the review of complaints to be clarified.

8. Of note are the measures on advance voting (commonly acknowledged as one of the main areas of alleged irregularities in 2010), including the requirement that advance votes be submitted to polling stations before 4 p.m. and that observers monitor the count. The Special Rapporteur welcomes assurances that access to polling booths in military sites will be granted to observers (subject to the agreement of the respective military command). In the absence of such an agreement, the Chair of the Union Election Commission stated that polling booths will be placed outside military sites. Additionally, access should be granted to observe all aspects of advance voting, whether in or out of constituency.[2]

9. Several interlocutors highlighted the low levels of understanding of the electoral process among the public. The Special Rapporteur also notes the low number of women candidates nominated by political parties. This is of concern given the already severe underrepresentation of women in Government and the current Parliament (6.2 per cent in the Lower House and 1.9 per cent in the Upper House).[3] Additionally, 6 of the 14 state and regional legislatures have no female members. The Special Rapporteur therefore welcomes voter education programmes organized by civil society, including those aimed at enhancing women's political participation. Such programmes should be expanded throughout Myanmar. Also, as party to the Convention on the Elimination of All Forms of Discrimination against Women, Myanmar should do more to eliminate discrimination and gender stereotypes and promote women's participation in public and political life (see A/69/398, para. 16).

10. To be truly free and fair, the elections must be inclusive and must reflect the will of the people. In this respect, the Special Rapporteur notes the efforts of the Union Election Commission to update and correct voter rolls, including through public displays at different stages. In the light of the floods, the final display of the voter list was rescheduled to 14 to 27 September, with an extension of the deadline in certain flood-affected areas. The Union Election Commission also announced that

[2] The Carter Center, "Preliminary Findings of the Carter Center Expert Mission to Myanmar: April-July 2015", 19 August 2015. Available from: www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/myanmar-081915-en.pdf

[3] Data compiled by the Inter-Parliamentary Union as of 1 September 2015.

those who had lost identity documentation in the floods could still vote, including through the issuance of voter registration cards. At the same time, many actors conveyed continuing concerns regarding errors in voter lists. The onus is on the individual voter to review the list and provide corrections, including through supporting documentation. The Special Rapporteur believes that this may pose difficulties, particularly for those who have been affected by the floods. Thus, other measures should be envisaged for corrections and updates to be made to the voter lists.

11. In preliminary candidate lists announced on 20 August, there are 6,189 candidates, including 323 independents, who are standing for election for 1,171 seats in the national and regional/state legislatures. Among the reported 124 candidates recently disqualified from standing for election, several candidates were rejected on the basis that one or both of their parents were not citizens. This includes parliamentarians Win Myint and Shwe Maung (a Rohingya running as an independent), whose appeals were reportedly dismissed. The highest number of disqualified candidates are from Rakhine State, with many Muslim candidates among them. Eligibility criteria for candidates include the requirement that those standing for election to Parliament be citizens born of citizens (see A/69/398, para. 13).[4] Yet, under international standards, the right to stand for election may be limited only on the basis of objective and reasonable criteria. Disqualifications should not be based on unreasonable or discriminatory requirements such as residence or descent. While welcoming the decision of the Union Election Commission to reinstate 11 candidates, including 10 previously disqualified on citizenship grounds, the Special Rapporteur believes that additional and thorough reviews of all disqualifications remain necessary.

12. She reiterates concern regarding the amendments to the Political Parties Registration Law, which provides that only "full citizens" are allowed to form political parties; and that only "full citizens" and "naturalized citizens" are allowed to be members. The Political Parties Registration Law of 2010 previously allowed temporary registration card holders to form and become members of political parties. The term "association" includes political parties. The right to form and join an association is an inherent part of the right to freedom of association, which is a right that everyone is entitled to exercise (see A/HRC/20/27, paras. 52-54).[5] Therefore, the Special Rapporteur recalls that in the exercise of their freedom of association, non-citizens can be members of political parties.

13. Of grave concern is the disenfranchisement of some 760,000 individuals who previously held temporary registration cards. This includes individuals of Chinese and Indian descent but mainly Rohingya in Rakhine State, who had the right to vote in the 2010 and 2012 elections. On 11 February 2015, President Thein Sein issued a notification announcing the expiry of all existing temporary registration cards on 31 March,[6] and requiring the submission of expired documents by 31 May.[7] On 17 February, the Constitutional Tribunal ruled that Parliament's approval of a Referendum Bill allowing all categories of citizens, as well as temporary

[4] Articles 120 and 121 of the Constitution (2008).

[5] Article 20, Universal Declaration of Human Rights.

[6] Presidential Notification No. 19/2015, para. 2, carried out pursuant to rule 13 (3) of the 1951 Residents of Burma Registration Rules.

[7] Ibid., para. 3, carried out pursuant to rule 13 (4) of the 1951 Residents of Burma Registration Rules.

registration card holders, to vote in an upcoming referendum was unconstitutional. On 2 June, the Government announced that those who had submitted their temporary registration cards (some 469,000 by the deadline) were eligible to apply for new identity cards "for those whose nationality will be scrutinized". The Chair of the Union Election Commission stated that holders of these new cards would not be allowed to vote. Given its disproportionate impact on minority communities, in particular the Rohingya, the Special Rapporteur believes that the decision to disenfranchise former temporary registration card holders is discriminatory. The Special Rapporteur is also concerned by the possible exclusion of thousands of other individuals across Myanmar society, including migrant workers, other workers living abroad, internally displaced persons and refugees who face specific challenges in registering to vote and accessing polling stations. The Union Election Commission has addressed some of these concerns, including by updating voter lists to include internal migrants or displaced persons who can show temporary residence in a particular constituency or area for at least 180 days (as provided under the election laws). Yet, these measures would not fully cover those who do not possess the required documentation or who have been newly or repeatedly displaced as a result of natural disasters or conflict. More proactive measures should be taken, in consultation with the affected communities.

14. The Special Rapporteur is further concerned by the possible disenfranchisement of those living in conflict areas, where elections may be cancelled for security reasons. This includes Kachin and Northern Shan States, including the Kokang Self-Administered Zone, as well as areas affected by natural disasters, such as Chin State. She notes statements made by the Chair of the Union Election Commission that decisions on cancellation would be made public only one or two weeks before the elections. She urges that clear criteria be outlined well in advance for the cancellation of elections.

15. Several interlocutors conveyed concern regarding the potential increase in hate speech against religious minorities and the political manipulation of communal tension. The Special Rapporteur thus welcomes measures, such as the development in June 2015 of a code of conduct for political parties. It includes provisions against the use of campaign messages which fuel "regionalist, racial, sectarian or tribal trends that could threaten national unity" and the abuse of religion for political purposes. She also notes the efforts to cooperate with Facebook to remove posts and accounts that may incite violence. At the same time, she is concerned by statements from the Committee to Protect Race and Religion (MaBaTha) urging voters to elect only national ethnic candidates, or choose candidates who will "protect Buddhism". Action must be taken against those who "abuse religion for political purposes", which is prohibited under the 2008 Constitution (article 364), and who urge anyone to vote or not vote on religious grounds, which is prohibited under article 58 (c) of the Amyotha Hluttaw and Pyithu Hluttaw Election Laws.

16. According to the Special Rapporteur on the rights to freedom of peaceful assembly and of association, the freedom of political parties to expression and opinion, particularly through electoral campaigns, is essential to the integrity of elections (A/68/299, para. 38). Parties should have equal access to the media, particularly state-owned or controlled (ibid., para. 39). The Inter-Parliamentary Union's Declaration on Free and Fair Elections, provides that States should ensure that "parties and candidates are free to communicate their views to the electorate".

17. In this respect, the Special Rapporteur notes that political parties will be able to run 15-minute campaign broadcasts on Myanmar's national radio and television channels, although full transcripts of broadcasts are to be submitted in advance to the Union Election Commission and the Ministry of Information for approval. Broadcasts deemed to negatively impact security, the rule of law, the dignity of the armed forces, or racial, religious or individual rights or laws, for example, will not be approved. Rules for the campaign period are similarly restrictive, requiring advance permission for public events outside party premises and imposing similar limitations on the content of campaign materials and advertisements. The Special Rapporteur highlights that the grounds for rejecting campaign materials appear overly broad and could result in arbitrary decisions infringing on the right to freedom of expression.

B. Democratic space

18. Genuine elections cannot be achieved if the rights to freedoms of expression, peaceful assembly and association are curtailed. In this regard, the Special Rapporteur is concerned by ongoing restrictions on these rights; continuing arrests and convictions of persons attempting to exercise these rights; excessive use of force against protestors; and increasing intimidation, harassment, monitoring and surveillance of human rights defenders and civil society actors. Such trends undermine democratic space, and risk excluding some independent voices from public debate ahead of the elections.

19. On 31 July, a presidential pardon led to the release of 6,966 prisoners, including an estimated 13 political prisoners. Among these were the five staff from the *Bi Mon Te Nay Journal* and Sein Than, a land rights activist, whose cases have been previously raised by the Special Rapporteur. Yet, according to civil society, 108 convicted political prisoners remain behind bars, while 459 others await trial.[8] The Special Rapporteur met some of these prisoners and was inspired by their commitment to contribute to Myanmar's future.

20. Since her last report to the Council, the Special Rapporteur has observed the continued arrests and convictions of civil society actors, students, farmers, factory workers, journalists and ordinary people under laws which do not conform to international human rights standards. According to the Working Group on Arbitrary Detention[9] legal provisions incompatible with fundamental rights and freedoms guaranteed under international human rights law would give rise to qualification of detention as arbitrary (see A/HRC/22/44, para. 65). Numerous individuals have been detained under the Peaceful Assembly and Peaceful Procession Law (Peaceful Assembly Law). The Special Rapporteur has previously highlighted concerns regarding this law, including the requirement for prior authorization (the violation of which can result in up to six months' imprisonment); the burdensome application process; the denial of a right to appeal if permission is refused; and the imposition of criminal sanctions for breaches of the law.

21. Penal Code provisions, which are non-bailable offences, are increasingly used against those engaged in peaceful protests. These include sections 143 and 145,

[8] Figures provided by the Assistance Association for Political Prisoners (Burma).

[9] See E/CN.4/2005/6/Add.1.

which provide from six months to two years' imprisonment against anyone participating in an unlawful assembly. Sections 146 and 147 prohibiting rioting have also been used. These provisions contravene international standards as they allow any member of an assembly where violence occurs to be prosecuted for rioting, irrespective of any actual involvement with the violence. Section 505 (b), which provides for up to two years' imprisonment for anyone inciting the public to commit broad and vague offences such as those "against the State or the public tranquillity", is also frequently used. The Special Rapporteur calls on the Government to bring these sections of the Penal Code and the Peaceful Assembly Law in line with international human rights standards and to release those arbitrarily detained under these provisions.

22. Additionally, in some cases, individuals face charges in different townships for the same offence and are forced to undergo multiple trials concurrently. In other cases, charges for past offences are suddenly brought and additional sentences imposed on those already in detention. In this regard, the Special Rapporteur is concerned that Naw Ohn Hla and Nay Myo Zin received additional four months' sentences in Kyauktada Township (September 2015), Ahlone township (August 2015) and in Latha Township (July 2015) for protesting in front of the Chinese Embassy against the Letpadaung Copper mine and the fatal shooting of Daw Khin Win in December 2014. They were previously sentenced to four years and four months in prison for the same offence in May 2015 by the Dagon Township Court. In June, Naw Ohn Hla received an additional six-month sentence for an old and unrelated offence, the holding of a prayer session in 2007 for the release of Aung San Suu Kyi.

23. The violent police crackdown on those protesting against the National Education Law and their supporters on 10 March 2015 in Letpadan vividly illustrates the above concerns. In interviews with five protestors detained in Tharawaddy prison, one info rmed the Special Rapporteur that he had 11 charges levelled against him for a single protest. Among the 127 individuals arrested, 53 remained in pretrial detention as of 1 September. Under international law, pretrial detention should be the exception rather than the rule. It must be based on an individualized determination that is reasonable and necessary taking into account all circumstances. The authorities stated that they granted bail to those who could prove they were genuine university students. Others, including former political prisoners prohibited from attending university who are following distance education programmes, remain in detention. The Special Rapporteur emphasizes that this should not be a valid criteria for denying bail.

24. At the time of writing, over 75 of those arrested on 10 March face charges under the aforementioned provisions of the Penal Code and the Peaceful Assembly Law. Those detained for exercising their right to peaceful assembly, under provisions which do not comply with international standards, can be considered to have been subject to arbitrary detention. There are also concerns about the slow pace of trial. After four months of trial, with hearings held once a week, the court still has 40 government witnesses to hear. At the current pace, the trial will last two years. Persons arrested or detained on a criminal charge are entitled to trial within a reasonable time or to release.

25. The Special Rapporteur also received allegations of excessive use of force by the police in handling the Letpadan protest and in making arrests. The police deny

these accusations. A lawsuit brought by several protestors against two police officers was dismissed in August 2015. The Myanmar National Human Rights Commission met some detainees following a petition brought by students involved in the protests. The Special Rapporteur welcomes the call from the Commission for legal action against police officers who breached procedures and its recognition that disproportionate charges have been brought against protesters.[10]

26. Allegations of excessive use of force by the police were also received regarding the dispersal of a solidarity protest with the students on 5 March 2015 in Yangon. The Special Rapporteur is concerned that civilians wearing red armbands allegedly assisted the police in making arrests, based on provisions of the Code of Criminal Procedure, which allow the use of civilians to break up assemblies.[11] The report of a Commission of Inquiry appointed by the Government to look into the incident in Yangon has not yet been made public.

27. Journalists and media personnel continue to face legal action under defamation, harassment, trespassing and national security laws that are inconsistent with international human rights standards. In July 2015, two editors from the *Myanmar Herald* were found guilty of defamation, after running an interview containing remarks critical of President Thein Sein. In March, two journalists from the *Myanmar Post* were sentenced to two months in prison for defamation. Several journalists from the Eleven Media Group are still facing prosecution for defamation for publishing critical views about the proposed Public Service Media Bill. Additionally, the killing of freelance reporter Ko Par Gyi in October 2014 and the attack on the Eleven Media Chief Executive Officer in July 2015 create fear and uncertainty within the media. The Special Rapporteur notes information received from the Government that three people were charged in connection with this attack. She reiterates that journalists and media workers contribute to public debate and are vital for democratic societies. They have an even more crucial role prior, during and after elections. Freedom of expression and independent journalism, uninhibited by fear of legal reprisals or intimidation, must be ensured. The Special Rapporteur notes the withdrawal of the Public Service Media Bill from consideration by Parliament in March 2015. While concerns had been raised over some aspects of the bill, its withdrawal means that state-owned media will remain without editorial independence during the electoral period.

28. The Special Rapporteur is concerned by the increased monitoring, surveillance, intimidation and harassment of human rights defenders and civil society actors by military intelligence and the Special Branch Police in charge of intelligence. Individuals are followed and photographed at meetings. Their families, friends and colleagues are questioned about their whereabouts and some face difficulties accessing e-mail accounts, which they attribute to surveillance. Women human rights defenders are particularly vulnerable to sexual harassment and intimidation.

29. One tool used against civil society and political activists is the Ward or Village Tract Administration Law. Adopted in 2012, the law mirrors two archaic laws of 1907 requiring individuals to report the identity of their overnight guests to ward or village administrators. The law empowers these officials to conduct periodic household inspections to determine if unregistered guests are present. Often called

[10] Myanmar National Human Rights Commission, Statement 12/2015, 11 September 2015.

[11] Code of Criminal Procedure, articles 127 and 128.

"midnight inspections", these visits are used to intimidate or harass civil society activists. The Special Rapporteur calls on the Government to halt all forms of surveillance and harassment against human rights defenders and members of civil society and ensure respect for their rights to freedoms of expression, peaceful assembly and association.

C. Incitement

30. The protection of the right to freedom of expression must be accompanied by efforts to combat intolerance, discrimination and incitement to hatred. While welcoming President Thein Sein's statements against hate speech, the Special Rapporteur continues to observe calls, often made by religious leaders or members of political parties, to incitement and hatred against minorities. They involve negative stereotyping and discrimination and largely target Muslim communities, especially the Rohingya. She is also concerned by the increasing influence of Buddhist ultra-nationalist movements in fuelling discriminatory sentiments and advocating support of discriminatory policies or legislation. She also notes reports of intimidation and harassment of civil society actors, political figures and journalists who seek to protect the rights of minorities. Greater efforts must be made to publicly condemn, prevent and combat acts of incitement to discrimination, hostility and violence. It is vital that deep-seated divisions and tension are not manipulated for political purposes or used to fuel violence ahead of the elections.

31. During her visit, the Special Rapporteur expressed concern about a video on the Internet[12] of a public rally where the Chair of the Peace and Diversity Party called for the killing of the Rohingya. Referring to the Rohingya, the Chair stated: "Number one, shoot and kill them! Number two, kill and shoot them! Number three, shoot and bury them! Number four, bury and shoot them! If we do not kill, shoot, and bury them, they will keep sneaking into our country." The crowd can be heard repeating these statements. To the knowledge of the Special Rapporteur, the Government has not publicly condemned these statements and no legal action has been initiated against their author. She also raised the case of Htin Lin Oo who was sentenced to two years in prison with hard labour in June 2015 under section 295 (a) of the Penal Code for "insulting" religion or religious belief. Htin Lin Oo was convicted for a speech discouraging the use of Buddhism as a tool for nationalist extremism. The Special Rapporteur notes with concern the stark difference in treatment between these two cases.

32. According to the Special Rapporteurs on the promotion and protection of the right to freedom of opinion and expression (see A/67/357, paras. 45 and 46) and on minority issues (see A/HRC/28/64, paras. 48 and 58), several elements should be considered when identifying which expressions constitute incitement: the context of the expression; the official position and level of authority of the speaker; the intent to incite discrimination, hostility or violence; the content of the expression; the extent and means of dissemination; the danger of violence resulting from the expression. Serious and extreme instances of incitement to hatred, which cross this threshold, should be criminalized. For other cases, the Government should adopt civil laws which can provide for diverse procedural and substantive remedies (see

[12] https://www.youtube.com/watch?v=O59n9M6jB28.

A/67/357, para. 48). However, such measures should not impose additional restrictions on the rights to freedom of expression, assembly and association.

33. Communal tension and hatred cannot be eliminated by legal provisions alone. Root causes should be addressed, including through the deconstruction of discriminatory and negative stereotypes and the promotion of greater tolerance. Preventative measures should be prioritized, including through education, information campaigns, training for judges and law enforcement officers, and social dialogue. The Special Rapporteur therefore welcomes President Thein Sein's instructions in 2014 calling on local authorities to establish interfaith organizations to improve dialogue and understanding between communities. Such organizations should be established widely and reinvigorated wherever inactive. The Special Rapporteur also welcomes various interfaith activities led by religious leaders or civil society actors aimed at promoting intercommunal harmony and building a more tolerant and inclusive society.

D. Rakhine State

34. The Special Rapporteur regrets that her request to visit Rakhine State was denied by the Government, well before the start of her mission. While she firmly believes in making assessments based on the realities observed on the ground, she welcomed the opportunity to engage constructively with the Chief Minister, members of the Emergency Coordination Centre, as well as some of the Rakhine Elders. She is aware, however, that they were brought to Yangon despite dealing with a natural disaster.

35. Rakhine State, declared one of four disaster zones, was among the hardest hit by the floods. The Special Rapporteur urges that continued assistance and support be provided as a priority. The floods will likely exacerbate the long-standing social and economic development challenges in Rakhine State, one of the poorest States in Myanmar.

36. One priority area the Special Rapporteur would like to stress is improving education opportunities and access to higher education for all communities in Rakhine State. According to the United Nations Committee on Economic, Social and Cultural Rights, education is the primary vehicle by which economically and socially marginalized adults and children can lift themselves out of poverty.[13] Thus, efforts can be made to increase the number of primary and secondary schools Statewide, which currently are overcrowded and underresourced, and to provide greater access to non-formal education and vocational training. Access to education (particularly at the middle and secondary levels), for displaced youth and children in camps should be improved. Lifting travel restrictions, which have prevented Rohingya students from attending any form of university education, is also necessary.

37. Three years after the first outbreak of communal violence in Rakhine State, some 140,000 displaced persons remain in camps[14] where conditions remain abysmal and access to adequate basic services severely limited. Acute malnutrition

[13] See E/C.12/1999/10, general comment No. 13: the right to education, para. 1.

[14] http://reliefweb.int/sites/reliefweb.int/files/resources/Affected_Map_IDP_Sites_Rakhine_OCHA_Aug2015_A4.pdf

in children under five continues to be a serious concern among vulnerable communities. The majority of adolescents lack access to quality formal or non-formal education opportunities.[15] Between March and June 2015, the Government assisted with the return and relocation of some 10,000 individuals, including the provision of cash grants or building materials for the construction of housing. Another 4,000 families received similar assistance from international actors. Additional returns and resettlements are envisaged, although exact time frames remain unclear, particularly because of the floods. It is also unclear what will happen to the more than 90,000 individuals in camps around rural Sittwe. The Special Rapporteur reiterates the importance of finding durable solutions to displacement, including voluntary returns to places of origin. She notes assurances by local authorities that returns and resettlement are not linked to participation in the citizenship verification process, which should also be conveyed to the affected population. She hopes that durable solutions will be found for all displaced persons, in line with international principles. Permanent segregation of communities must be avoided.

38. There have been no new incidents of communal violence reported during the past year. The Government reports trade and business between communities in Buthidaung and Maungdaw. In the immediate aftermath of the floods, increased positive interactions between the two communities and improvements in freedom of movement were reported. Nevertheless, the Special Rapporteur finds no major improvement in the human rights concerns previously highlighted, in particular the long-standing and institutionalized discrimination against the Rohingya community.

39. Rohingya continue to face restrictions on their freedom of movement, which severely impact their access to health care, food, water, sanitation, education and livelihoods. Discriminatory and restrictive local orders continue to be applied in the north of Rakhine State. For example, curfews are still imposed, as well as restrictions on gatherings of more than four people. Permission is required for travel between townships. Permission is also required for Rohingya couples to marry, often with a two-child limitation for couples. Children born of unwed parents, parents who did not obtain permission to marry or parents who had more than the allowed number are often deregistered or "blacklisted" with negative impact on their ability to enrol in government schools and obtain identity documentation.

40. Rohingya also remain vulnerable to other human rights violations, including sexual and gender-based violence, arbitrary arrest and ill-treatment, with inadequate action taken to investigate and prosecute the perpetrators. Additionally, while the Special Rapporteur welcomes the release in July 2015 of some 62 Rohingya (arrested in connection with the 2012 violence and sentenced to from 5 to 20 years in prison without proper investigation), she reiterates her concern at the lack of independent and credible investigations into allegations of violations committed during the incidents of June and October 2012, and January 2014.

41. There has also been little progress on resolving the legal status of the more than one million Rohingya in Myanmar, including their access to citizenship. The citizenship verification process, first piloted in Myebon Township in June 2014, has effectively stalled. A reported 892 applications have been sent to the Government since January but those granted citizenship remain in camps and continue to face

[15] United Nations Office for the Coordination of Humanitarian Affairs, *Humanitarian Bulletin, Myanmar*, Issue 5, May/June 2015.

restrictions on their freedom of movement and access to basic services. On 15 June, the Deputy Minister for Immigration and Population stated in Parliament that their movement was being restricted "for their own safety". The Special Rapporteur had previously raised concerns regarding this process in the light of the designation of ethnicity (reportedly "Bengali", "Kaman" or nothing at all) on the forms and the potential arbitrary exclusion of those who self-identify as Rohingya (see A/69/398, para. 52). She had also raised concerns that this exercise is based on the 1982 Citizenship Law, which is not in line with international standards and should be reformed.

42. Following the expiration of the deadline on 31 May 2015 discussed in paragraph 13 above, an estimated 486,183 temporary registration cards were surrendered. The announcement in June 2015 of new identification cards for citizenship verification has not seen large numbers of applications, particularly from the Rohingya community. The rights and entitlements associated with these new cards, valid for two years, also remain unclear. There are reports of local authorities exercising pressure on village and religious leaders, as well as community members, to accept the new cards. Threats of increased restrictions as well as actual additional travel restrictions were also reported.

43. The cumulative negative impact of restrictions, deteriorating living conditions and poverty is a key catalyst driving refugee and irregular migration flows to other countries in the region. Tens of thousands have made the dangerous voyage by sea, particularly since the eruption of communal violence in 2012. A reported 31,000 people (including many Rohingya) departed in the first half of this year alone.[16] Between January 2014 and June 2015, more than 1,100 are believed to have perished owing to the precarious voyage and mistreatment by traffickers and smugglers.[16] Smuggling and trafficking rings have grown with reports of the alleged collusion of local authorities in various countries.

44. Following recent international attention on the migration crisis in the Bay of Bengal and the Andaman Sea in April and May 2015, the Government of Myanmar stepped up search and rescue efforts on humanitarian grounds. Two boats with over 900 people from Myanmar and Bangladesh were rescued in May. Following verification, about 195 Rohingya were returned to their homes in Rakhine State without repercussions. Eight Rohingya men initially detained upon disembarkation (apparently without formal charges) were later released and returned home. Verification of the remaining individuals continues and some repatriations to Bangladesh have taken place.

45. The Special Rapporteur notes the Government's commitment to addressing this issue from a regional perspective. She also notes that 30 individuals have recently been charged in Myanmar's first anti-trafficking case. However, a comprehensive human rights response, which would address the root causes and push factors behind such migration flows, is also required. The Special Rapporteur calls on the Government to make greater efforts to revise discriminatory laws and policies and resolve questions regarding legal status and access to citizenship. This is the only sustainable solution for peace and reconciliation in Rakhine State.

[16] United Nations High Commissioner for Refugees, "Southeast Asia: Mixed maritime movements, April-June 2015".

E. Conflict and Peace Process

46. The Special Rapporteur remains concerned about the impact of ongoing conflict in parts of Myanmar. In the Kokang Self-Administered Zone, the conflict between the military and the Myanmar National Democratic Alliance Army (MNDAA), the Ta'ang National Liberation Army and the Arakan Army has resulted in some 70,000 displaced persons. Access to the area, including for humanitarian actors, remains severely restricted. While there is no accurate data, civil society sources allege various conflict-related violations. Martial law and a state of emergency were declared in Kokang on 17 February 2015 and now extended until 17 November. While the MNDAA declared a unilateral ceasefire on 11 June and the three armed groups involved in the conflict announced their willingness to engage in ceasefire negotiations, armed clashes continue. It is unclear at this stage whether elections can be held in Kokang as the state of emergency and martial law will still be in force.

47. The ongoing conflict in Kachin State and Northern Shan State has resulted in the displacement of more than 100,000 people. Many displaced persons have resided in camps for more than four years. Humanitarian access to non-government areas remains limited, with the United Nations and other humanitarian actors often waiting months for official authorizations. Access is also particularly difficult for Laiza, where half of the displaced in non-government controlled areas, are located. National and local community and civil society groups, often with limited resources and capacity, continue to provide much-needed assistance in these areas.

48. Intense fighting between the military and the Kachin Independence Army in July and August 2015, including the reported heavy aerial bombardment and shelling of several villages, has resulted in the displacement of some 1,400 civilians in Sumprabum Township in Kachin State. Humanitarian access continues to be blocked.

49. The Special Rapporteur reiterates that States have an obligation to uphold fundamental human rights, even during a state of emergency. The rights and needs of those displaced and affected by the conflict must be addressed as a matter of priority. The United Nations and its partners should have regular, independent and predictable access to all those in need of humanitarian assistance.

50. The Special Rapporteur continues to receive allegations of violations committed by all parties to the conflict, including attacks against civilians, forced recruitment and forced labour, as well as sexual violence. Although Myanmar endorsed the Declaration of Commitment to End Sexual Violence in Conflict in June 2014 and the Government has a zero-tolerance policy for sexual misconduct by its military personnel, there continues to be a high level of impunity for conflict-related sexual violence perpetrated by State actors and a lack of transparency in military courts.[17]

51. During the Special Rapporteur's visit, many interlocutors expressed continuing concern regarding the lack of accountability for violations allegedly committed by the military. When conducted, official criminal investigations were seen as flawed and not credible. In this regard, references were made to the fatal shooting of Ja Seng Ing, a 14-year-old Kachin girl, in 2012, as well as the rape and

[17] S/2015/203, paras. 41 and 42.

murder of Maran Lu Ra and Tangbau Hkwan Nan Tsin, two female Kachin teachers, on 19 January 2015 (see A/HRC/28/72, paras. 58 and 59).[18] Reference was also made to the alleged attempted rape of an elderly woman in Kachin State in April 2015 for which the accused, a soldier, was sentenced by military court to seven years in prison for "misconduct which could lead to suspicion and mistrust between the Tatmadaw [Myanmar Armed Forces] and the people" but not for attempted rape.

52. The Government should ensure that prompt, thorough, effective, independent and impartial investigations are conducted into all allegations of human rights violations. Perpetrators should be prosecuted and punished with appropriate penalties. Victims should be provided with redress. The Special Rapporteur notes with concern that persons making allegations against the military are threatened or subject to criminal proceedings for defamation or providing false information (see A/HRC/28/72, para. 59). The conviction in February 2015 of Brang Shawng, Ja Seng Ing's father, for making "false allegations" against the Myanmar army is particularly worrying (ibid., para. 58).

53. The Special Rapporteur welcomes the Government's signature of the Optional Protocol to the Convention on the Rights of the Child on children and armed conflict in September 2015. She also welcomes efforts made to implement the 2012 Joint Action Plan to end and prevent the recruitment and use of children in armed conflict. In June 2015, the military discharged 51 underage recruits bringing the total released this year to 93. Since the signing of the Joint Action Plan, 646 minors have been discharged from the military. She also welcomes the engagement with the Special Representative of the Secretary-General on children and armed conflict who visited Myanmar in July 2015.

54. Yet, the recruitment and use of children in the military, border guard forces and in non-state armed groups continues. Additionally, the continued detention of children as "deserters" remains a concern and age verification measures prior to arrest are not institutionalized. The Special Rapporteur urges the Government to address these concerns, and to accelerate the identification, release and reintegration of all children in the armed forces. The Government should also strengthen age verification and monitoring and oversight mechanisms for recruitment, and ensure that all those responsible for child recruitment and use are brought to justice. Similarly, she calls on all armed groups to end and prevent the recruitment and use of children. Additionally, the revised draft Child Law should criminalize the recruitment and use of children in the armed forces and armed groups and include appropriate penalties.

55. The Special Rapporteur has followed the negotiations between the Union Peace-Making Working Committee and the Nationwide Ceasefire Coordination Team, and its Senior Delegation. She notes that a draft Nationwide Ceasefire Agreement was signed on 31 March 2015, although final signature has not yet taken place. While most points of contention have been resolved, the inclusion of all ethnic armed groups as signatories remains pending.

56. The Special Rapporteur reaffirms that a comprehensive ceasefire agreement based on international human rights principles is an essential precursor for sustainable peace. She welcomes the inclusion of important principles of equality

[18] Although police identified two local villagers as suspects with regard to the latter case in July 2015, no arrests have been made.

and non-discrimination, as well as justice, and the right to self-determination throughout the draft Nationwide Ceasefire Agreement. Among the guiding principles are provisions on establishing a secular State to avoid the "inappropriate use of religion in political matters" and a democratic and federal union embracing its diverse ethnic makeup. She welcomes the commitments on civilian protection and the voluntary return of displaced persons, which address concerns raised by successive Special Rapporteurs. Provisions relating to the envisaged inclusive political dialogue will hopefully ensure the participation of ethnic representatives and civil society organizations and the inclusion of a "reasonable number of women representatives".

57. The Special Rapporteur observes that while the draft Nationwide Ceasefire Agreement lacks specificity, it covers a range of human rights concerns and issues. She received assurances that human rights issues will be fully discussed in any subsequent political dialogue. Nevertheless, many civil society actors and members of ethnic groups remain concerned about the draft agreement and sceptical of the peace negotiations. Firm commitments should be made and processes established to ensure accountability, equality and non-discrimination, as well as respect for the rights of minorities, after the ceasefire is achieved. Full consultation with local communities and civil society, and their full participation in any future political process, should be ensured. This would foster greater confidence and a sense of shared ownership in the process. Complex issues related to accountability for past and present human rights violations, discrimination and historically entrenched inequalities, as well as land and natural resource rights issues, which lie at the heart of decades of conflict, must be addressed in any subsequent political dialogue.

58. The Special Rapporteur recalls that successive Security Council resolutions have reiterated the importance of women's equal and full participation in all stages of peace processes.[19] While noting that the Senior Delegation of the Nationwide Ceasefire Coordination Team is headed by a woman,[20] women have largely been excluded from the negotiating teams. Nevertheless, women's contributions at the technical level, and their informal role as observers and advisers in drawing attention to women's concerns, should be commended. Greater efforts must be made to translate commitments into concrete actions and implement proactive measures to ensure women's full participation going forward. Women should be included in the envisaged Joint Monitoring Committee to be established at all levels, as well as in the Investigation and Verification Committee. Women's inclusion as members or heads of delegations, and as members of any task forces or technical committees to be formed, should also be ensured. Voluntary quotas for women could be considered in this regard. Political dialogue should specifically address women's rights issues and incorporate a gender perspective. Formal mechanisms for consultation with women's civil society organizations should be established.

F. Development, economic, social and cultural rights

59. The Special Rapporteur welcomes the Government's signature of the International Covenant on Economic, Social and Cultural Rights in July 2015 and hopes that it will be ratified promptly. She notes various measures taken to ensure

[19] Security Council resolutions 1325 (2000) and 1889 (2009).

[20] Naw Zipporah Sein, General Secretary of the Karen National Union.

affordable and accessible education, including the elimination of school and tuition fees at the primary, middle school and high school levels. She also welcomes the introduction of a mandatory minimum wage, which took effect on 1 September 2015. She notes, however, that more than 1,000 factory workers in the garment industry have reportedly been laid off as a result.

60. The 2014 census, the first in several decades in Myanmar, represents an important achievement. The Special Rapporteur notes that the main results, released in May 2015, can help target meaningful development initiatives and tackle regional inequalities. Yet, she regrets that more than 1 million people, many of them Rohingya from Rakhine State, were not included in the census. Additional data on ethnicity and religion will only be released in early 2016.

61. The Special Rapporteur continues to receive reports of forced evictions, land-grabbing and land confiscations carried out by the military and private actors for large-scale development projects, so-called "hotel zones", mining and other natural resource extractive industries. There is little or no consultation with affected communities and individuals, and often no compensation provided. She remains of the view that land issues will be one of the major challenges for Myanmar after the elections.

62. She notes the efforts of various government and parliamentary committees to investigate land-related complaints and return confiscated land. Yet, progress has been slow, particularly given the complex and fragmented legal framework on land issues. The Special Rapporteur has previously highlighted how existing laws, including the colonial Land Acquisition Act, the 2012 Farmland Law and the Vacant, Fallow and Virgin Land Law, give the Government discretion to confiscate land for projects deemed in the national interest. This framework is particularly problematic as many land users do not have formal land titles and customary land use and community-managed resources remain unrecognized. The Special Rapporteur welcomes the extended consultation process on the draft National Land Use Policy, as well as proposals to strengthen tenure for marginalized and vulnerable groups and recognition of customary land rights. Once adopted, the land policy will guide the drafting of an overarching land law. She hopes for a similarly consultative and transparent process for all changes to land-related legislation, which will be necessary to bring it in line with the new policy.

63. Given the impact of large-scale projects on communities across the country, environmental and social impact assessments should be consistently conducted in a transparent, rights-based manner with meaningful consultation and participation of all affected groups. The forthcoming Environmental Impact Assessment Procedure and Guidelines should explicitly refer to human rights standards and require assessments to address the rights implications of such projects. The Government should consider a moratorium on large-scale projects (similar to the Myitsone Dam decision of 2011), which have the potential to negatively impact human rights and on which there have been protests and public demonstrations. These include the controversial dam projects on the Salween River. This would allow the Government to obtain international advice, and review these projects against international standards.

64. The Special Rapporteur reiterates that a rights-based and people-centred approach is needed to ensure sustainable development. Development must also be transparent. She notes that Myanmar, as a "candidate" country for the Extractive

Industries Transparency Initiative, is currently preparing its first report due in January 2016. She hopes that it will implement the standards rigorously and comprehensively in all extractive industries, including the mining sector. This should increase transparency and improve the management of oil, gas and mineral resources for the benefit of all Myanmar's people.

65. Private companies have a responsibility not to cause or contribute to human rights abuses. This responsibility is particularly important given the growth in foreign investment. The Special Rapporteur thus reminds all investors and business enterprises in Myanmar of their responsibilities set out in the United Nations Guiding Principles on Business and Human Rights and encourages them to take all necessary steps to ensure effective implementation. She also encourages investors and business enterprises to abide by all other relevant voluntary standards such as the Voluntary Guidelines on Responsible Governance of Tenure of the Food and Agriculture Organization of the United Nations. The Special Rapporteur also encourages the application of the Principles for Responsible Contracts, a subset of principles under the United Nations Guiding Principles, when negotiating State-investor contracts. This would ensure that human rights risks arising from large-scale investment projects are effectively mitigated and addressed. Additionally, the draft Investment Law, which remains pending in Parliament, should include a requirement for investors to establish or participate in effective operational-level grievance mechanisms and to cooperate with any other relevant grievance procedures consistent with international procedures. Provisions should be included to allow sufficient flexibility for the Government to create policies aimed at protecting individual rights. She also encourages the Government to develop a National Action Plan on Business and Human Rights following consultation with relevant government departments, civil society and the private sector.

66. The Special Rapporteur remains concerned by reports of continuing intimidation, harassment and arrests of farmers and land-rights activists. Recent arrests indicate the use of a variety of charges against land-rights activists and protestors. This includes the arrest of 27 people in Karen State in June 2015 under article 43 (a) of the Forest Law for erecting huts on land they claimed to own; the arrest of activist Su Su Nway in July under trespassing charges for reportedly meeting farmers protesting against land confiscation by the military in Bago Region; and the arrest of activist Saw Maung Gyi in August under the Unlawful Associations Act for allegedly assisting someone from an armed group.

67. Also of concern are reports of the use of excessive force by security forces against peaceful protestors, such as the crackdown on the Letpadaung copper mine protest in December 2014, which resulted in one death and several injuries. The Special Rapporteur also notes with concern the use of force to disperse protest sites of the Michaungkan community in December 2014 and February 2015. The group was demanding the return of land allegedly confiscated by the military in the 1990s. There are14 others — currently on bail — still facing charges under article 18 of the Peaceful Assembly Law and article 68 of the Municipality Act.

G. Constitutional and legislative reform

68. The Special Rapporteur previously highlighted the need to reform constitutional provisions that do not comply with international standards (see A/HRC/28/72, and

A/69/398). Of particular concern are provisions setting out the process for amending the Constitution, the role and authority of the military, and the eligibility criteria for public office. She also reiterates the need to revise chapter VIII on fundamental rights, which currently subjects several rights to vague and subjective limitations (articles 354, 365 and 376), imposes problematic duties on individuals (article 383) and limits the applicability of many rights only to citizens (articles 354, 355 and 357).

69. Following public campaigns and efforts of a 31-member parliamentary committee on constitutional reform, five proposed amendments submitted to Parliament were ultimately rejected by vote in June 2015. They included a proposed change to article 436 to lower the percentage of parliamentarians required to approve a constitutional amendment from 75 to 70 per cent, and to article 59 (f) on the ineligibility for Presidential office of those with spouses and children of foreign nationality. Only an amendment to article 59 (d), replacing the word "military" by "defence" among the required areas of knowledge for presidential candidates, was adopted. A referendum on that amendment will take place after the elections.

70. The Special Rapporteur welcomes the continuing process of legislative reform, including steps taken by the Government to review and amend some laws that do not meet international human rights standards. She underscores that any law being revised or any bill being introduced in Parliament should fully conform with Myanmar's international human rights obligations. She also calls on the Government and Parliament to exercise utmost diligence in the adoption of new laws that have a serious bearing on human rights, such as the Prison Bill and the draft National Prevention of Violence against Women Bill currently under consideration.

71. At the same time, she notes continuing concerns that the legislative process remains opaque and does not systematically and consistently allow for consultation and discussion with relevant stakeholders, including civil society. Some interlocutors also expressed concern that draft laws that had undergone extensive consultation had been submitted to Parliament with key provisions and suggested language removed. Thus, even some revised laws still fall below international standards, while other newly enacted laws, notably the package of four "protection of race and religion" laws discussed in paragraph 76 below, clearly violate Myanmar's human rights obligations. This represents a major setback to the legislative reform process.

72. The Special Rapporteur recognizes the Government's effort to update media-related legislation. Recent laws include the 2014 News Media Law, the 2014 Printers and Publishers Registration Law and the recently passed 2015 Law Concerning Television and Radio Broadcasting (Broadcasting Law). Although they are an improvement, these laws still contain problematic provisions. The new Broadcasting Law, for example, does not sufficiently safeguard the independence of the National Broadcasting Council, members of which are appointed and can be removed by the President, and does not include a requirement to give reasons for refusal of a licence.

73. The Special Rapporteur commends the Government's efforts to review the Child Law (1993) and stresses the importance of its compliance with the Convention of the Rights of the Child, to which Myanmar is party. She reiterates the importance of implementing the Concluding Observations made by the Committee

on the Rights of the Child in 2012,[21] including by amending the definition of a child to any person below 18 years and raising the age of criminal responsibility from seven to an internationally acceptable level. The revised law should also strongly criminalize the recruitment and use of children in the armed forces and armed groups.

74. The current legal framework governing prisons in Myanmar is outdated and lacks fundamental safeguards. The Special Rapporteur thus welcomes the Government's commitment to draft a new Prison Law. Introduced in Parliament in July 2015, the Prison bill includes an explicit prohibition of torture and inhumane and degrading treatment. However, several areas still fall below international human rights standards, such as the United Nations Standard Minimum Rules for the Treatment of Prisoners and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders. In order to address these shortcomings, the law should include, for example, provisions mandating independent monitoring of prison conditions; clear limitations on the use of solitary confinement; prohibitions against fettering as a means of restraint; and amended provisions on the use of force by prison superintendents.

75. The Government is currently drafting a National Prevention of Violence against Women Bill. If compliant with its obligations under the Convention on the Elimination of Discrimination Against Women, this could represent a major step in the protection of women's rights in Myanmar. In this regard, the Special Rapporteur regrets that key provisions were being reconsidered or deleted during drafting. She highlights the importance of adopting a broad definition of rape; including a clear definition of aggravated sexual offences, which would address sexual violence in conflict; and allowing women to report violence freely and directly.

76. The Special Rapporteur strongly regrets the adoption between May and August 2015 of a legislative package of four laws that seek to "protect race and religion". Initiated by the ultranationalist Buddhist groups "969" and MaBaTha, these laws violate fundamental international human rights principles, including equality and non-discrimination. Since their introduction in Parliament in November 2014, the Special Rapporteur and other Special Procedures, have repeatedly raised serious concerns about the discriminatory impact of the Religious Conversion Law, the Population Control Healthcare Law, the Buddhist Women's Special Marriage Law and the Monogamy Law. Yet, they were all adopted by Parliament and signed by the President, who, in a video posted online, reportedly presented their adoption as a noteworthy achievement. The first case under the Monogamy Law was brought against a Muslim masonry worker cohabiting with a Buddhist woman. Charges were allegedly brought after MaBaTha members reported their cohabitation. If convicted, the accused risks up to seven years' imprisonment. Adopted a few months before the elections with a divisive and discriminatory intent, these laws not only violate Myanmar's international obligations but also risk enflaming religious and communal tension.

[21] CRC/C/MMR/CO/3-4.

III. Conclusions

77. After four years of far-reaching reforms that have undeniably improved the human rights situation, the importance of the upcoming elections for Myanmar's democratic transition cannot be overstated. The credibility of the elections will be judged by the environment in which they are conducted and the extent to which all sectors of Myanmar society have been allowed to freely participate in the political process. The disenfranchisement of certain communities and groups, particularly on discriminatory grounds, does not meet that test. Neither does the undermining of democratic space in which independent and critical voices face restrictions in the exercise of their rights to freedoms of expression, peaceful assembly and association. Instead, they are clear symptoms of ongoing human rights challenges that unfortunately continue to prevail in Myanmar. In the short time ahead of the elections, urgent steps should be taken to address these serious concerns if the country is to continue on the path of reform. The time after the elections will shape the future of Myanmar. The transition period will hopefully not be accompanied by instability, which could provide an environment for human rights abuses and violations.

78. The Special Rapporteur encourages the Government to reconsider its responses to critical and independent voices. Civil society actors, journalists and ordinary citizens exercising their rights to freedom of expression, assembly and association are not threats. Instead, their vital role in contributing to and sustaining a robust democracy should be embraced and supported.

79. The international community must remain constructively and critically engaged. It must continue to hold Myanmar accountable to its human rights commitments and obligations. It must support the Government, including through policy dialogue and technical assistance, in carrying out further reforms. Myanmar's upcoming Universal Periodic Review on 6 November 2015 will be an important opportunity to strengthen engagement and cooperation on human rights between the Government and the international community.

IV. Recommendations

80. **To ensure genuinely democratic elections that are free, fair, inclusive and transparent in line with international standards, the Government should:**

(a) **Immediately find solutions to allow all habitual residents of Myanmar, particularly former temporary registration card holders, displaced persons, refugees and migrant workers, to participate in the political process and to vote;**

(b) **Immediately, through the Union Election Commission, establish a process for an independent and thorough review of all candidate disqualifications;**

(c) **Ensure full respect for the rights to freedom of expression, assembly and association, and ease the arbitrary arrest and detention, as well as disproportionate sentences against those exercising these rights;**

(d) **Release all political prisoners, including peaceful protestors convicted under the Peaceful Assembly and Peaceful Procession Law and the**

Penal Code, as well as journalists convicted under outdated defamation, trespassing and national security laws;

(e) Promptly investigate and redress threats, acts of intimidation and harassment against media and civil society actors;

(f) Ensure that law enforcement officials do not use excessive or disproportionate force when managing protests;

(g) Ensure that instances of possible excessive or disproportionate use of force are investigated promptly and impartially;

(h) Take urgent steps to counter extremist nationalist sentiment in the country and take prompt action against all instances of hate speech and incitement to hatred and violence.

81. **More broadly, the Government should:**

(a) Resolve the citizenship status of habitual residents of Myanmar, including former Temporary Registration Card Holders, and ensure that they have equal access to citizenship through a non-discriminatory process;

(b) Amend the discriminatory 1982 Citizenship Law to bring it into line with international standards. In particular, remove any provisions that provide for the granting of citizenship on the basis of ethnicity or race;

(c) Review and further amend the Peaceful Assembly and Peaceful Procession Law and provisions in the Penal Code applicable to the exercise of the rights to expression, assembly and association, including articles 143, 145, 146, 147, 332 and 505 (b);

(d) Review and amend the Population Control Healthcare Act, the Women's Special Marriage Law, the Monogamy Law and the Religious Conversion Law to ensure their compliance with international human rights standards. Pending this, safeguard against any discriminatory effects in the implementation of the new laws;

(e) Ensure greater involvement by civil society and relevant stakeholders in legislative reform, including through inclusive consultation processes; and develop greater awareness-raising measures for draft and new laws;

(f) Develop comprehensive measures to address the root causes of discrimination against racial and religious minorities, as well as communal tension and violence, including through interfaith dialogue and confidence-building measures.

82. **Regarding Rakhine State, the Government should:**

(a) Respect the right to self-identification according to international human rights law, including in the citizenship verification process;

(b) Ensure access to adequate health, education and other basic services for all displaced persons without discrimination;

(c) Lift the restrictions on freedom of movement;

(d) Lift travel restrictions preventing Rohingya students from attending university;

(e) Review and revise all local orders, instructions and other policies and practices that are discriminatory in law and practice;

(f) Address long-standing social and economic development challenges through a human-rights-based approach, while ensuring the participation of affected communities.

83. **Regarding conflict-related human rights concerns, the Government should:**

(a) In conflict-affected areas, ensure that all parties adhere to international humanitarian and human rights law, and ensure the protection of civilians;

(b) Ensure that the United Nations and its partners have regular, independent and predictable access to all those in need of humanitarian assistance;

(c) End all child recruitment in the armed forces through strengthened recruitment procedures, age verification mechanisms and independent monitoring and oversight of all armed forces. Release all children currently in the armed forces and armed groups, and expedite ratification of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;

(d) Ensure prompt, independent and impartial investigations into allegations of human rights violations committed in conflict areas, and the prosecution and punishment of all perpetrators;

(e) Ensure that complainants are not penalized or threatened with legal action for bringing complaints and seeking redress against violations committed by the military;

(f) Ensure full consultation with local and affected communities, civil society, and women, as well as their full participation in the peace process, including implementation and monitoring mechanisms, and any future political dialogue.

84. **To ensure a rights-based and people-centred form of sustainable development and the protection of economic, social and cultural rights, the Government should:**

(a) Ensure that environmental and social impact assessments of large-scale development projects are always undertaken with a strong human rights focus, implement their recommendations and make all relevant information publicly accessible;

(b) Undertake further reform of legislation and institutional frameworks governing land use and management, resource management and -sharing, and land tenure, in line with international standards;

(c) Proactively ensure participatory, inclusive and meaningful consultations on land development and that comments received are properly considered;

(d) Consider developing a National Action Plan on Business and Human Rights, engaging civil society and the private sector in a transparent consultation process;

(e) Ensure that people protesting land confiscations and development projects are not subjected to intimidation and arbitrary arrest, and excessive use of force by police.

85. **Regarding international cooperation, the Government should:**

(a) Continue to engage constructively with the international human rights system, including in the upcoming second round of the Universal Periodic Review;

(b) Expedite the establishment of an office of the United Nations High Commissioner for Human Rights in Myanmar with a full mandate.

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Seventieth year

Identical letters dated 18 September 2015 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical summary of Israeli violations of Security Council resolution 1701 (2006) committed during the month of August 2015 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

15-17315 (E) 191015 201015

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Annex to the identical letters dated 18 September 2015 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Land violations

Date	*Time*	*Nature of violation*
1 August 2015	0905	On the outskirts of the town of Shab'a at the Jabal al-Shahl locality, near observation point OP2 of the Indian contingent of the United Nations Interim Force in Lebanon (UNIFIL), an Israeli enemy patrol comprising 15 soldiers violated the line of withdrawal, entering some 50 metres into Lebanese territory, and tried to abduct the shepherd As'ad Hamdan, who fled with his flock in the direction of the town. The enemy patrol withdrew into occupied territory at 0930 hours.
2 August 2015	1350	From inside Palestinian territory at the Manarah North 1 position, an enemy Israeli bulldozer arrived at the Shaykh Abbad position and performed maintenance work on the dirt road along the technical fence. The bulldozer's arm crossed the technical fence without violating the Blue Line. It returned to the Manarah North 1 position at 1410 hours.
4 August 2015	1300	Inside the occupied Shab'a Farms at the Saddanah locality, near observation point OP3 of the UNIFIL Indian contingent, while an Israeli enemy tank and engineering vehicle were driving from the Jabal al-Rus position to the Birkat al-Naqqar position, the tank personnel pointed the cannon at personnel at the Lebanese Army observation point for three minutes. They then left in the direction of the Jabal al-Rus position.
5 August 2015	1227 1233	From inside occupied territory opposite the Israeli enemy Hula East position, an Israeli enemy patrol comprising three personnel and a Hummer vehicle approached. One of the personnel trained the Hummer vehicle's mounted weapon at two civilians on the Lebanese side.
8 August 2015	1640	Opposite the town of Kafr Killa near crossing B82, an Israeli enemy patrol comprising two Hummer vehicles and a Jeep approached. Some 12 personnel stepped out and conducted a foot patrol near the technical fence, where they photographed passers-by and trained their personal weapons on Lebanese territory. The patrol left in the direction of occupied territory at 1715 hours.
14 August 2015	2130 2215	The Israeli enemy fired 11 flares over the Summaqah and Ruwaysat al-'Alam positions inside the occupied Shab'a Farms.
16 August 2015	1200	Inside occupied Palestinian territory, opposite the Lebanese Army Duhayrah position, a number of Israeli enemy soldiers carried out clearing and maintenance work near their position, using a Poclain excavator and a white pick-up truck. Three hostile soldiers loaded their personal machine guns and pointed them at Lebanese Army personnel. The Israeli enemy finished work and the soldiers and pick-up returned in the direction of occupied territory at 1800 hours.
18 August 2015	1945 2015	Several explosions were heard from inside the occupied Shab'a Farms.

Date	*Time*	*Nature of violation*
19 August 2015	0830	Inside occupied Palestinian territory opposite Lebanese Army Maysat observation point, an Israeli enemy patrol comprising a Poclain excavator, a wheeled bulldozer and two steamrollers arrived and repaired and cleared the road along the technical fence. The Poclain excavator extended its boom above and across the technical fence by approximately two metres for clearing. The Israeli enemy finished work at 1730 hours.
20 August 2015	0800	Inside occupied Palestinian territory opposite the Lebanese Army Wazzani observation point OP8, between the Nakhilah and Maysat East positions, an Israeli enemy patrol comprising a wheeled bulldozer, a Poclain excavator, a steamroller, a civilian pick-up truck and a personnel carrier with the flag of the Nahal Brigade of the Israeli enemy army arrived and carried out clearing and maintenance work on the road along the technical fence. Its arm crossed the technical fence into Lebanese territory. The Israeli enemy army finished work and the vehicles withdrew in the direction of occupied territory at 1730 hours.
21 August 2015	0930	Opposite the town of Blida, near observation point BP28, an Israeli enemy patrol comprising four vehicles and approximately 15 soldiers was observed. The soldiers stepped out and conducted a deployment drill, taking up combat positions facing Lebanese territory. They withdrew at 1030 hours.
23 August 2015	1315	Inside occupied Palestinian territory, opposite Bi'r Shu'ayb – Blida, personnel from an Israeli enemy patrol comprising 12 soldiers, a Hummer vehicle and a Land Rover vehicle stopped opposite the Lebanese Army observation point and directed curses in Arabic at soldiers at the observation point.
	1340	From inside occupied territory opposite the Kafr Killa crossing, an Israeli enemy foot patrol comprising seven personnel arrived and directed foul language at passers-by. They withdrew into occupied territory at 1415 hours.
25 August 2015	1300	From inside occupied Palestinian territory opposite Duhayrah, in the area surrounding the Israeli enemy position, three engineering vehicles arrived and carried out excavation and clearing work, accompanied by a number of soldiers who deployed at the location. Two of them trained their personal weapons on Lebanese Army personnel stationed at their position in Duhayrah. The Israeli enemy finished work at 1420 hours.
26 August 2015	0700	Inside occupied Palestinian territory, opposite the Lebanese Army Udaysah checkpoint, an Israeli enemy patrol comprising two Poclain excavators, a Defender vehicle, a Hummer vehicle and a Merkava tank arrived. The tank pointed its cannon at Lebanese territory while the Poclain excavator extended its arm over the technical fence and uprooted trees located near the fence. It also did some digging outside the technical fence and deposited dirt on the road along the fence. The Israeli enemy finished work at 0845 hours.
27 August 2015	1050	Inside occupied Palestinian territory, opposite the Amrah area between the Metullah position and the Amrah South 2 position, an Israeli enemy patrol comprising two wheeled bulldozers, a steamroller, two Hummer vehicles and two white Rapid vehicles arrived. One of the soldiers carried out clearing and maintenance work on the road along the technical fence. Another pointed his 12.7 mm machine gun, which was mounted on the Hummer vehicle, in the direction of Lebanese territory. The work ended at 1320 hours, and the patrol withdrew into occupied territory.

Date	*Time*	*Nature of violation*
28 August 2015	1225	Inside occupied territory, opposite the Labbunah locality at the Israeli enemy position of Jall al-'Alam, a number of Israeli enemy soldiers trained their personal weapons on a Lebanese Army patrol.
29 August 2015	0935	On the outskirts of the town of Shab'a at the Jabal al-Shahl locality near observation point OP2 of the UNIFIL Indian contingent, while the civilians Isma'il Zahra and Mahir Hamdan were herding livestock, an Israeli enemy patrol shot at them from inside occupied territory without injuring anyone. They returned to the town of Shab'a with their livestock.
	1530	On the outskirts of the town of Shab'a at the Saddanah locality, near observation point OP3 of the UNIFIL Indian contingent, the Israeli enemy fired into the air from inside occupied territory over a livestock herder on Lebanese territory.
	1530 1600	From the area around the Birkat al-Naqqar position, soldiers from an Israeli enemy patrol in a Merkava tank directed medium weapon fire at the Ruwaysat al-'Alam position inside the occupied Shab'a Farms.

Sea violations

Date	*Time*	*Nature of violation*
3 August 2015	1913	Opposite Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree 6433 (2011) of 1 October 2011, proceeding some 225 metres into Lebanese territorial waters over a three-minute period before leaving in the direction of occupied Palestinian territorial waters.
4 August 2015	1841	Opposite Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree 6433 (2011), proceeding some 165 metres into Lebanese territorial waters over a two-minute period before leaving in the direction of occupied Palestinian territorial waters.
	2140 2235	From inside occupied Palestinian territory at its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters three times: the first time for 15 seconds, and the second and third times for 20 seconds.
6 August 2015	2150 2330	From inside occupied Palestinian territory at its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters for seven periods of 20 seconds each.
9 August 2015	2045 2300	From inside occupied Palestinian territory at its position opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters five times: the first and second times for 15 seconds, the third time for 20 seconds, and the fourth and fifth times for 15 seconds.
10 August 2015	2019 2100	From inside occupied Palestinian territory, the Israeli enemy directed a laser towards personnel of the UNIFIL Indonesian contingent, and four times in the direction of Lebanese territory.

Date	*Time*	*Nature of violation*
16 August 2015	0936	Opposite Ra's al-Naqurah, an Israeli enemy military launch violated the southern maritime boundary established by Decree 6433 (2011), proceeding some 280 metres into Lebanese territorial waters over a 64-minute period before leaving in the direction of occupied Palestinian territorial waters.
22 August 2015	2125 2310	From inside occupied Palestinian territory, opposite Ra's al-Naqurah, the Israeli enemy directed a searchlight towards Lebanese territorial waters six times: the first and second times for 10 seconds, the third time for five seconds, the fourth time for 10 seconds, and the fifth and sixth times for five seconds.

Air violations

Date	*Time*	*Nature of violation*
1 August 2015	0650	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South, Riyaq, Baalbek, Hirmil and Beirut and its suburbs before leaving at 1555 hours over Naqurah.
	1030	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 1430 hours over Alma al-Sha'b.
2 August 2015	0950	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut and its suburbs before leaving at 1700 hours over Alma al-Sha'b.
	1000	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Aytarun. It circled over the South before leaving at 1445 hours over the sea off Naqurah.
	1040	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over the sea between Juniyah and Tripoli before leaving at 1205 hours over Alma al-Sha'b.
	1355	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1915 hours over Alma al-Sha'b.
3 August 2015	0745	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut and its suburbs and Ba'abda before leaving at 2330 hours over Naqurah.
4 August 2015	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut and its suburbs before leaving at 1800 hours over Alma al-Sha'b.
5 August 2015	0615	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut and its suburbs before leaving at 2305 hours over Alma al-Sha'b.
	0715	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek and Hirmil before leaving at 1500 hours over Rumaysh.

Date	*Time*	*Nature of violation*
	1000	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1215 hours over Alma al-Sha'b.
6 August 2015	0545	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut, Matn and Ba'abda before leaving at 1525 hours over Naqurah.
	1415	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut, Matn and Ba'abda before leaving at 0645 hours on 7 August 2015 over Naqurah.
7 August 2015	0815	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut, Matn and Ba'abda before leaving at 1325 hours over Kafr Killa.
	1615	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea west of Naqurah. It circled over Beirut, Matn and Ba'abda before leaving at 0200 hours on 8 August 2015 over Naqurah.
8 August 2015	0550	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut, Matn, Ba'abda, Baalbek and Hirmil before leaving at 2245 hours over Kafr Killa.
	1400	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 0700 hours on 9 August 2015 over Alma al-Sha'b.
9 August 2015	0630	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Beirut and its suburbs and the South before leaving at 2030 hours over Alma al-Sha'b.
	0945	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Riyaq, Baalbek and Hirmil before leaving at 2050 hours over Rumaysh.
	1100	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1215 hours over Alma al-Sha'b.
	2045	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Riyaq, Baalbek and Hirmil before leaving at 2235 hours over Kafr Killa.
10 August 2015	0700	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Matn, Ba'abda, Beirut, the South and the Western Bekaa before leaving at 1655 hours over the sea west of Naqurah.
	1010	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Matn, Ba'abda and Beirut before leaving at 2045 hours over Naqurah.

Date	*Time*	*Nature of violation*
	1720	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South and the Western Bekaa before leaving at 2240 hours over Aytarun.
11 August 2015	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Beirut, Matn, Ba'abda, Riyaq, Baalbek and Hirmil before leaving at 1500 hours over Alma al-Sha'b.
	1520	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the Western Bekaa, Beirut and its suburbs and the South before leaving at 0240 hours on 12 August 2015 over Rumaysh.
	1635	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1925 hours over Kafr Killa.
	2110	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 2310 hours over Alma al-Sha'b.
12 August 2015	0235	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South before leaving at 1530 hours over Alma al-Sha'b.
	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq, Baalbek and Hirmil before leaving at 1615 hours over Kafr Killa.
	1205	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1340 hours over Alma al-Sha'b.
	1625	Four Israeli enemy warplanes violated Lebanese airspace, entering over the sea west of Jubayl. They circled over all regions of Lebanon before leaving at 1700 hours over Rumaysh.
13 August 2015	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1400 hours over Rumaysh.
	0915	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South, Riyaq, Baalbek and Hirmil before leaving at 2000 hours over Naqurah.
14 August 2015	1355	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 1725 hours over Alma al-Sha'b.
17 August 2015	0610	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over the South, Riyaq, Baalbek and Hirmil before leaving at 1810 hours over Naqurah.
18 August 2015	1040	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South, the Western Bekaa, Riyaq, Baalbek and Hirmil before leaving at 1310 hours over Kafr Killa.

Date	*Time*	*Nature of violation*
	1240	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South and the Western Bekaa before leaving at 1700 hours over Naqurah.
	1945 2015	An Israeli enemy reconnaissance aircraft circled over the occupied Shab'a Farms.
19 August 2015	0655	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek and Hirmil before leaving at 1450 hours over Kafr Killa.
20 August 2015	0600	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Rumaysh. It circled over Riyaq, Baalbek and Hirmil before leaving at 1500 hours over Kafr Killa.
	1010	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek and Hirmil before leaving at 2230 hours over Rumaysh.
	1020	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South before leaving at 2100 hours over Alma al-Sha'b.
21 August 2015	1010	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Beirut and its suburbs, Jubayl and Tripoli before leaving at 1650 hours over Alma al-Sha'b.
23 August 2015	1035	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Rashayya, Hasbayya, the Western Bekaa and the South before leaving at 1545 hours over Naqurah.
24 August 2015	0605	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq, Baalbek and Hirmil before leaving at 2350 hours over Kafr Killa.
	1215	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1400 hours over Alma al-Sha'b.
25 August 2015	0610	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Riyaq, Baalbek and Hirmil before leaving at 1830 hours over the occupied Shab'a Farms.
26 August 2015	0635	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek and Hirmil before leaving at 2105 hours over Alma al-Sha'b.
	1015	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South and the Western Bekaa before leaving at 1255 hours over Kafr Killa.
	1240	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the coasts of Jubayl and Juniyah and west over the sea before leaving at 1510 hours over the sea off Jubayl.

Date	*Time*	*Nature of violation*
	1335	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over the South, the Western Bekaa, Riyaq and Baalbek before leaving at 1545 hours over Kafr Killa.
27 August 2015	0650	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Beirut, Matn, Ba'abda and the South before leaving at 1320 hours over Alma al-Sha'b.
	0750	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek, Hirmil and the South before leaving at 1405 hours over Naqurah.
	1315	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South before leaving at 1625 hours over Naqurah.
	1345	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over Riyaq, Baalbek and Hirmil before leaving at 2300 hours over Rumaysh.
28 August 2015	0805	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over Riyaq, Baalbek, Hirmil and Beirut and its suburbs before leaving at 1700 hours over Alma al-Sha'b.
	1010	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq, Baalbek and Hirmil before leaving at 1800 hours over Rumaysh.
	1220	Two Israeli enemy warplanes violated Lebanese airspace, entering over Kafr Killa. They circled over all regions of Lebanon before leaving at 1400 hours over Alma al-Sha'b.
29 August 2015	0610	An Israeli enemy reconnaissance aircraft violated Lebanese territory, entering over Alma al-Sha'b. It circled over Riyaq, Baalbek, Hirmil and the South before leaving at 2210 hours over Alma al-Sha'b.
30 August 2015	0800	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1725 hours over Rumaysh.
	1035	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving at 1315 hours over Alma al-Sha'b.
31 August 2015	0745	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the Western Bekaa and the South before leaving at 1600 hours over Naqurah.
	1255	An Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Riyaq and Baalbek before leaving at 1710 hours over Kafr Killa.